

7th October 2016

PLANNING COMMITTEE - 19TH OCTOBER 2016

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 19th October 2016 in the Council Chamber, Town Hall, Rugby.

Adam Norburn
Executive Director

Note: Members are reminded that, when declaring interests, they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a pecuniary interest, the Member must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 28th September 2016.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Revocation of Hazardous Substances Consents at the sites of H.W Coates on Roman Way and Cosford Lane, Rugby
6. Amendment to the Scheme of Delegation - Variation and Removal of Planning Conditions Attached to Major Applications and Revocation of Hazardous Substance Consents.
7. Amended Procedure for Members' Requests for Site Visits by Planning Committee.
8. Planning Appeals Update.
9. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
10. Delegated Decisions – 1st September to 21st September 2016.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

Any additional papers for this meeting can be accessed via the website.

The Reports of Officers (Ref. PLN 2016/17 – 7) are attached.

Membership of the Committee:

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Brown, Butlin, Cranham, Ellis, Gillias, Lewis, Sandison, Srivastava and Helen Taylor.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Senior Democratic Services Officer (01788 533524 or e-mail claire.waleczek@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

If you wish to attend the meeting and have any special requirements for access please contact the Democratic Services Officer named above.

The Council operates a public speaking procedure at Planning Committee. Details of the procedure, including how to register to speak, can be found on the Council's website (www.rugby.gov.uk/speakingatplanning).

Planning Committee – 19th October 2016

Report of the Head of Growth and Investment

Applications for Consideration

Planning applications for consideration by the Committee are set out as below.

- Applications recommended for refusal with the reason(s) for refusal (pink pages)
- Applications recommended for approval with suggested conditions (yellow pages)

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

There are no applications recommended for refusal to be considered.

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R13/1731	R/O 3 The Crescent, Brinklow. Rugby. CV23 0LG. Erection of a detached dwelling and associated parking in the rear paddock area.	3
2	R16/1322	Rugby School, Collingwood Centre, Oak Street, Rugby, CV22 5DZ Erection of part two and a half and part single storey building to provide a new School Boarding House comprising 60 No. study bedrooms, atrium, common rooms, catering facilities and accommodation for the house masters and matron together with roof top terrace at first floor, lawn areas at ground floor associated landscaping and on-site car parking.	13
3	R16/0659	Webb Ellis Industrial Estate, Woodside Park, Rugby, CV21 2NP. Erection of 44 no. new build apartments comprising of 2 no. studios, 33 no. 1 bed and 9 no. 2 bed flats.	25

Reference number: R13/1731

Site address: R/O 3 The Crescent, Brinklow. Rugby. CV23 0LG.

Description: Erection of a detached dwelling and associated parking in the rear paddock area

Case Officer Name & Number: Nisar Mogul. 01788 533688

This application has been brought before the Planning Committee at the request of Councillor Heather Timms.

Site Description

No.3 The Crescent is located within the Village Boundary of Brinklow and partly within the Brinklow Conservation Area. The application site itself lies within the Village Boundary, however, is outside the Conservation Area and has an existing vehicular access via Hall Grove. The site is rectangular in nature and measures circa 17 metres in width and 59 metres in length. The site is currently a grassed paddock area with a small outbuilding structure on the eastern boundary adjacent to Tallow Cottage. There is a Severn Trent Sewer that runs across the site circa 2.5 metres to the rear of the proposed dwelling.

Proposal Description

Planning permission is sought for the erection of a detached one and a half storey gable ended dwelling with a detached garage to the south east of the site. The original proposal sited the dwelling within 1 metre of the side boundaries adjacent to the boundaries of No.s 3 and 4 Hall Grove to the south and the side boundary of No. 2 Crook House Yard. Through negotiations with the Applicant's Agent an amended plan was received that set in the proposed dwelling by circa 2 metres from these side boundaries in order to minimise any potential impact on these neighbouring properties.

The one and half storey element is 12 metres in length and 6 metres in width with an 8 metre by 9 metre single storey element. The massing on the roof on this element has been softened by incorporating two hip roofed elements.

The building will have a maximum height of 6 metres to the ridge to the one and half storey element and a maximum height of 5 metres on the single storey element. To the first floor there will be a bedroom and a bathroom area and to the ground floor there are two bedrooms including en suites, a kitchen, dining and living room.

The building will comprise of exposed oak framework to its eastern and western elevations with generous infill glazed panels. The northern and southern elevations are predominantly blank elevations. The facing materials to be used in the construction of the dwelling are red bricks and the clay tiles to the roof.

A detached garage is proposed to the south western boundary of Tallow Cottage and will be set in circa 1 metre from this boundary.

Relevant Decisions

None.

Technical Consultations

WCC Highways	-No objections subject to conditions and informatives
WCC Ecology	-No objections subject to informatives and retention of any existing trees on the boundaries of the site informatives.

Environmental Health	-No objections subject to informatives.
RBC Tree Officer	- No objections.
WCC Flood Risk and water management	- No comments
RBC Corporate property Officer	- The 10ft 6 inch was sold to the owner of No.3 The Crescent by the developer. There are no covenants restricting the use of this access by RBC.
WCC Archaeology	- No objections subject to conditions.
Severn Trent Water	- No response.

Third Party Consultations

Neighbours - Original plans – 6 letters of objection :-

- The proposed building will take up virtually the whole width of the existing paddock. The front entrance, driveway and windows will be in full view from us and it will mean that we lose all privacy at the rear of our rear bedroom windows.
- We lose the effect we currently have of the sunset, light and full unobstructed views. The proposed garage is against my property and its construction will have a detrimental impact to my privacy and light.
- Main sewer runs across the plot. This application appears to be “garden grabbing”.
- Driveway adjacent to Tallow Cottage and no.3 is a shared access and is virtually impossible to get a vehicle into the drive of no.3.
- Access is used for parking by residents of Hall Grove. Area of Hall Grove / Chandlers Row already suffers from significant congestion.
- Impact on no.1 The Crescent being a Listed Building. Will have detrimental impact upon the residential amenities and visual impact on 3 and 4 Chandlers \Row leading to loss of privacy and overlooking and overshadowing.
- The existence of a new property will impede access to our sewers.
- Access is 10ft 6 inch strip and the area adjacent to it allocated as parking for the housing association properties in Hall Grove. I am regularly disturbed by vehicles travelling over the gravelled access.
- The proposed building will alter the view of open countryside and fields from our home and gardens. The extra parking issues will cause obstruction to wheelchair users in Hall Grove.

-Amended plans – 3 letters of objection :-

- Despite the slight reduction in the size of the property it does not alter the significant impact on our privacy and visual impact.
- Garage will impact on my privacy. The building does not suit the character of the area.
- Access and parking issues.
- Not necessary for a dwelling in this location. The dwelling if approved should be a single storey bungalow. The same access and parking issues are still relevant as per the original plans.

Brinklow Parish – No objections.

Relevant Planning Policies and Guidance

Core Strategy

CS1 - Development Strategy	Complies
CS2 - Parish Plans	Complies
CS16 - Sustainable Development	Complies
CS20 - Local Housing Needs	Complies

Saved Local Plan Policies

E6 - Biodiversity	Complies
T5 - Parking Facilities	Complies

Other Documents

Planning Obligations SPD

Sustainable Design and Construction SPD

Brinklow Village Design Statement

National Policy

National Planning Policy Framework (NPPF)

Assessment of Proposals

In the assessment of this application, the determining factors are the impact of the proposed development on the qualities, character and amenity of the area, amenity of neighbouring properties, impact on protected species and impact on highway safety.

Principle of Development

Part 6 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Policy CS1 seeks to ensure that new development is located in the most appropriate location according to its need and purpose.

The application site is located within the Brinklow Village Boundary. Policy CS1 categorises Brinklow as a Main Rural Settlement, and as such directs that development will be permitted and that local housing needs will be prioritised over market housing.

Policy CS20 states that in Main Rural Settlements market housing will be permitted in line with Policy CS1, but development should seek to meet local housing need before market housing will be considered favourable. In the absence of identified local housing needs (either where the need has already been met or where no need has been identified) provision should be made in line with Policy CS1.

Brinklow does not have a current Local Housing Need survey with which to identify what housing is required within the village. Also, given the small scale of the development, meeting local need targets would threaten the financial viability of the scheme. Policy CS20 states that in circumstances where the

provision of housing need requirements is likely to threaten the financial viability of a development scheme, the LPA can consider a reduced provision. In this instance, it is considered that the provision of a market house (as proposed) is acceptable and does not contravene Policies CS1 or CS20.

For the reasons stated above, the proposal complies with policies CS1: Development Strategy and CS20: Local Housing Needs of the Rugby Borough Core Strategy 2011 and the principles of the NPPF.

Impact on the qualities, character and amenity of the area

Part 7 of the NPPF (Requiring Good Design) emphasises the importance of good design. Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated.

The proposed dwelling incorporates vernacular style features that is one and a half storey in nature with a gable feature to the courtyard area and is constructed with an oak framework that incorporates glazed infill panels and timber boarding over the brick plinths. The facing bricks and roof tiles are to match those found within the local vicinity. The height of the proposed dwelling is limited to 6 metres to the ridge of the roof at its highest point.

The proposed garage is situated to the south west of the boundary of Tallow Cottage. It is set in by circa 1 metre from the boundary and is 2 metre high to the eaves and 3.5 metres high to the ridge of the roof. The design incorporates a roller shutter door to the west elevation and incorporates similar vernacular agricultural style to that of the proposed dwelling.

The proposed dwelling and garage is traditional in design and taking into account the massing, height and appearance it is considered that it will appear in keeping with the character and appearance of the area in which it lies.

It is therefore considered that the proposed development will not have an adverse impact upon the qualities, character and amenities of the area. As such the proposed development complies with the contents of Part 7 of the NPPF, Policy CS16 of the Core Strategy and the Sustainable Design and Construction SPD.

Impact upon the amenity of neighbouring properties

Policy CS16 also states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The proposed dwelling is set back 14 metres from the rear boundary of Tallow Cottage and the only first floor window to the proposed elevation facing this property is to a bathroom area. This window is circa 27.5 metres from the nearest window to the rear elevation of Tallow Cottage. This separation distance is considered sufficient to prevent any undue overlooking or loss of privacy issues that may arise for the occupants of Tallow Cottage and it is not considered that the proposal warrants a refusal on these grounds.

In terms of the impact on the occupants of No.s 3 and 4 Hall Grove, it is considered due to the proposed dwelling being set in 2 metres from their rear boundaries, the existing boundary screening consisting of over 2 metre high trees and hedges, the limited height of the roof structure which slopes away from these properties and due to the orientation of the sunlight, it is considered that the proposed will have limited impact on the amenities of the occupiers of these properties in terms of loss of sunlight, overshadowing or an overbearing impact. There are no windows proposed on the elevations facing these properties other than to a bedroom area on the ground floor which is circa 10.5 metres from the rear boundaries of these properties and therefore it is considered that the proposal does not cause any undue overlooking or loss of privacy issues to the occupants of these properties.

To the northern boundary, adjacent to the boundary of No.2 Crook House Cottage, it is considered due to the 2 metre set in of the proposed dwelling, the current boundary treatment consisting of a 2 metre high close boarded fence and the roof sloping away from this property, that the proposal will have a minimal adverse impact on this property in terms of the proposal being overbearing or causing loss of sunlight or daylight. Additionally the roof lights in the northern roof slope are to en-suite areas of bedroom 2 and the master bedrooms to the ground floor and as such will not cause any undue overlooking.

Overall therefore it is not considered that the proposed development will have such a significant impact on neighbouring amenity so as to justify a refusal of planning permission, in accordance with the relevant section of Policy CS16.

Impact on highway safety/parking provision

The application proposes to utilise an existing access to the site via Hall Grove whilst the host dwelling, no. 3 The Crescent, has a its own gated access leading to an area hardstanding via the frontage of The Crescent.

The current gravelled access is circa 5.2 metres at its narrowest point and 6.5 metres at its widest point. Warwickshire County Council Highways department were consulted on the proposal and have confirmed that this access is sufficient in highway terms and that it will not cause any detrimental impact to highway safety subject to conditions and informatives.

In relation to parking, the application proposes a detached garage and given that the site benefits from a substantial courtyard area, there remains sufficient space within the site to park at least 3 cars. The development therefore complies with the Council's parking standards as outlined within the Planning Obligations SPD and Saved Local Plan Policy T5.

Impact on protected species

Part 11 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, among other things. In addition, Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. The County Ecologist has raised no objection to the application subject to the attachment nesting bird informatives. Subject to this, it is not considered that the development will have an adverse impact on biodiversity in accordance with Part 11 of the NPPF and Saved Local Plan Policy E6.

Archaeology

Warwickshire Archaeology department were consulted on the proposal and have stated that the site lies within the probable extent of the medieval settlement at Brinklow and that there may be potential for the proposed ground works to disturb archaeological deposits. However, they have not objected to the proposal subject to conditions relating to a written scheme of investigation and mitigation strategy report.

Recommendation

Planning permission be granted subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R13/1731

DATE VALID

20/06/2016

ADDRESS OF DEVELOPMENT

Rear of
3 THE CRESCENT
BRINKLOW
RUGBY
CV23 0LG

APPLICANT/AGENT

Hb Architects
The Old Telephone Exchange
Albert Street
Rugby
Warwickshire
CV21 2SA
On behalf of Mr and Mrs Thornhill

APPLICATION DESCRIPTION

Erection of a detached dwelling and associated parking in the rear paddock area

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

The development shall not be carried out other than in accordance with the amended plans numbers 49:16:01A, 49:16:11B, 49:16:10B and 49:16:07C received by the Local Planning Authority on 5th August 2016.

REASON:

For the avoidance of doubt.

CONDITION 3:

No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

CONDITION 4:

The garage hereby approved shall not be used for any purpose other than ancillary to the residential use of the proposed dwelling known as r/o 3 The Crescent, Brinklow.

REASON:

In the interest of residential amenity.

CONDITION 5:

Other than those shown on the approved plans, no new windows/rooflights shall be formed in any elevation/roofslope of the proposed development, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION 6:

The windows to be formed in the first floor eastern elevation of the proposed development shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION 7:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order no development shall be carried out which comes within classes A, B, C, D, E, F, G and H of Schedule 2 part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interests of the amenities of the locality.

CONDITION 8:

The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for a minimum distance of 7.5 metres as measured from the near edge of the public highway carriageway.

REASON:

In the interest of highway safety.

CONDITION 9:

The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.

REASON:

In the interest of highway safety.

CONDITION 10:

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and Local Highway Authority. The Construction Management Plan must include details to prevent mud and debris being passed onto the highway; wheel washing facilities; vehicle routing plan; and parking and loading/unloading of staff/construction/delivery vehicles.

REASON:

In the interest of highway safety.

CONDITION 11:

No development shall take place until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work shall be submitted to and approved in writing by the LPA.

b) the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken. A report detailing the results of this fieldwork shall be submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the LPA. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

REASON:

In the interest of archaeology.

CONDITION 12:

No development shall commence unless and until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

To ensure the proper development of the site and in the interest of visual amenity.

CONDITION 13:

The landscaping scheme, as detailed on the approved plans, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of

the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

To ensure the proper development of the site and in the interest of visual amenity.

CONDITION 14:

No development shall commence unless and until details of all proposed walls, fences and gates have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of visual amenity.

STATEMENT OF POSITIVE ENGAGEMENT:

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

INFORMATIVE 1:

Condition numbers 8-9 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

INFORMATIVE 2:

Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

INFORMATIVE 3:

Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

Monday - Friday - 7.30 a.m. - 18.00 p.m.,

Saturday - 8.30 a.m. - 13.00 p.m.

No work on Sundays & Bank Holidays.

INFORMATIVE 4:

Work should avoid disturbance to nesting birds. Birds can nest in many places

including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

Reference number:

R16/1322

Site address:

Rugby School, Collingwood Centre, Oak Street, Rugby, CV22 5DZ

Description:

Erection of part two and a half and part single storey building to provide a new School Boarding House comprising 60 No. study bedrooms, atrium, common rooms, catering facilities and accommodation for the house masters and matron together with roof top terrace at first floor, lawn areas at ground floor associated landscaping and on-site car parking.

Case Officer Name & Number:

Paul Varnish 01788 533771

The Site

The site comprises part of the former Bishop Wulstan RC School which was closed in 2008 and is now in the ownership of Rugby School. The buildings have been refurbished and now form part of the Rugby School premises known as the Collingwood Centre. The site is located on the west side of Barby Road and the south side of Oak Street. The application site is positioned within a prominent location on a higher ground level and is positioned just after the bend in Barby road where the road ascends on the approach from the south. Towards the north is Oak Street where the properties' rear gardens back onto the site. Further north the land is more level, with a more gentle descent towards the application site. On the opposite side of the road is a sports field. To the South is Dickenson Court's Retirement Home, which is a 1960s development of low-rise sheltered flats, which is marked by a row of mature trees. Adjacent to the application site and to the west is the sports hall, a red brick building with a modern appearance to include a grey sloping feature roof and beyond that the Collingwood Centre.

Apart from the Collingwood centre, the majority of the site is hard surfaced in tarmac, with the application site being previously used as a netball court and now as a car park area. Towards the front of the site is a red brick wall with blue patterned brick, which encloses the eastern boundary and directly beyond is a row of mature protected trees. The eastern, southern and part of the western boundaries are lined by mature trees, which screen the site from adjoining land. Two mature trees are positioned close to the northern boundary, adjacent to one of the existing site entrances.

The site is accessed off Barby Road, through a gated vehicular and pedestrian access, which was approved under a previous planning permission, Planning Application, R13/0052. The access is hardsurfaced and leads directly to the proposed car parking area to the south of the site. The vehicle movements are controlled by a barrier, which is setback and is separate from the pedestrian entrance to allow vehicles and pedestrians to enter and exit the site safely.

The application site is on the edge of the Rugby School and Rugby School Extension Conservation Area. In terms of the built environment, the site is allocated under the Area 1 sub area, which includes Rugby School, Oak Street and Barby Road. The character of the sub area is described as being large school buildings of individual character and design and includes within close proximity a number of important unlisted buildings and Listed Buildings.

Relevant decisions

R02/1068/3597/P

Construction of sports hall & access corridor & associated external works including car park, hard play areas & fencing/gates. Approved 24/04/2003

R05/0514/03597/P

New/Replacement boundary/security fencing and gates.

Approved 06/07/2005

R05/0560/03597/P

Single-storey extension to provide science laboratory and offices

Approved 08/07/2005

R08/1162/MAJP

Application for Outline Planning Permission for 55 residential units, with all matters reserved for future determination except for access, layout and scale

Approved 27/10/2010

R13/0052

Application for Conservation Area Consent for demolition of part of existing wall to enable formation of new gated vehicular and pedestrian access together with replacement tree planting to provide new entrance to existing school premises from Barby Road.

Approved 02/05/2013

The Application

The application seeks planning permission for the erection of part two and a half and part single storey building to provide a new School Boarding House comprising 60 No. study bedrooms, atrium, common rooms, catering facilities and accommodation for the house masters and matron together with roof top terrace at first floor, lawn areas at ground floor associated landscaping and on-site car parking.

The proposed building is 2 ½ storeys and has its frontage facing towards Barby Road. It will measure 58.5 metres in width by 28.4 metres in length and will measure 12.3 metres to the highest point, the gable end. The front portion of the proposal is wider, than the rear, with the rear measuring 33.6 metres in width and being adjoined to the existing sports hall. The proposal will be flanked by two large gable ends, with a chimney features and will be constructed of tile and red brick and square dormer windows.

The dormitory accommodation will be located mainly to the front of the property on the ground, first and second floor level. Towards each of the parts of the building that flank the proposal will be staff accommodation. Towards the rear of the building, at first floor level and adjacent to the sports hall will be a kitchen and dining area and a common room for the residential students.

Towards the centre of the building, at ground floor level is a central atrium. An open terraced area is proposed at first floor level towards the rear of the proposal, which will adjoin the existing sports centre.

To the front of the site will be a large lawn area with a large area of car parking being located to the south side of the existing Collingwood Centre.

The proposed development of the boarding house forms part of a ten year programme, which will see the ongoing maintenance of the existing building stock of the school. The boarding house will be primarily used to cater for pupils from existing properties as work commences to other accommodation. The proposed building will therefore need to be fit for purpose and will include pupil and staff accommodation, dining and recreational facilities.

The application is accompanied by the following supporting statements:

A Design and Access Statement

Addendum to Design and Access Statement – Sustainability Statement

This application has been brought to committee as it is a major application.

Technical Consultations

WCC Ecology	- No objection, subject to an informative
WCC Highways	- no objection, subject to conditions
WCC Archaeology	- No comment.
WDC Building Control	- Sustainability of the building is satisfactory
RBC Tree Officer	- No objection, subject to condition
RBC Environmental Health	- No objection subject to conditions.

Third Party Consultations

Neighbours (1) – Concern regarding the transport of construction materials accessing through the Oak Street Pedestrian access and not Barby Road and heavy noise dust and traffic created once the development begins.

Planning Policy Guidance

Rugby Borough Core Strategy 2011:

CS1	conforms	Development Strategy
CS16	conforms	Sustainable Design
CS17	conforms	Sustainable Buildings

RBC Local Plan, 2006 Saved Policies:

E6	conforms	Biodiversity
T5	conforms	Parking Standards

National Planning Policy Framework, 2012

Rugby School Conservation Area Appraisal, 2010

Sustainable Design and Construction SPD, February 2012 (RBC)

Planning Obligations SPD, March 2012(RBC)

Determining Considerations

The main issues to assess in relation to this application relate to the principle of development, design and appearance, residential amenity, impact on heritage assets in particular on the character, appearance and setting of the Listed Buildings and Conservation Area, sustainable design, access, trees and landscaping and ecology considerations.

Principle of the proposal

The application site forms part of an established educational facility, located within the Collingwood Centre/Oak Street area, a defined area of the Rugby School Campus and within the Rugby Urban Area and within close proximity to the Town Centre Boundary. The proposal is therefore acceptable in principle.

Design and Appearance

Policy CS16 states that all development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity in which they are situated. Furthermore, development will ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The NPPF within Section 7 states the great importance it attaches to design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The development is considered to be large in size and scale, with the orientation of the building being such that the largest and longest elevation faces the highway and is flanked by large gable bookends. The building also sits at a higher level approximately 1m higher than that of Barby Road and is positioned just after the bend in the road where Barby Road ascends on the approach from the south. However, the large size and scale of the building is reflective of the character and appearance of the other properties within close proximity, especially towards the top of Barby road. The proposed boarding house will be set back from the road and will be located towards the centre of the application site, with the addition of a lawn area, two staff garden areas and the retention of the red brick wall and line of mature lime trees. Mature trees are a key feature of the area and line much of Barby Road. The site layout has been designed to accommodate and retain the sports centre to the rear, and will partially screen the views of the sports centre, which is a more modern and less aesthetically looking building.

The proposal will include large gable ends, with chimney features and dormer windows, which are a modern interpretation of the established buildings within the area. The boarding house will be constructed of contrasting materials to include red brick with a lime ashlar stone frontage and stone detailing. The development will also include large corner windows to the gable ends, with stone detailing surrounds.

The terraced recreational area to the rear is flanked by small parapet walls and due to the positioning of the large gable ends, will be less visible from the front of the building. Additionally, the kitchen and dining area and terraced area are located adjacent to the sports hall, to provide quieter accommodation areas to the front of the building.

The boarding house will include photovoltaic panels, which are positioned to the top of the building and at a lower height than the pitched roofs to the side and therefore will be less conspicuous and more sympathetic to the setting.

The carpark area will be relocated to the south side of the site, adjacent to the existing sports centre and further to the west adjacent to the Collingwood Centre, an area which visibly is less prominent when viewed from the street.

It is considered that the proposal is of high quality design and its appearance and scale are appropriate given its context and the character and appearance of other school buildings in the vicinity. Although prominent, the new school boarding house will not appear as an obtrusive feature and will not detract from the character of the immediate locality.

Residential amenity

The proposed School Boarding House will be positioned within the centre of the application site.

Towards the south is the boundary of the Dickenson Court's Retirement Home. The larger bookend features that flank the proposed building are circa 18 metres to the boundary and the section to the rear is circa 31 metres to the boundary. The nearest elevation on Dickenson Court's Retirement Home is a circa 5 metres away from the boundary. On the boundary are a row of well-established hedges and trees, which are circa 5 metres in height. Although the application site is on higher ground, due to the degree of separation and the screening on the boundary, it is considered that there will be a negligible impact in terms of overlooking and loss of privacy.

Towards the front (north/west) are the residential properties, 4,6 and 8 Barby Road. The side elevation of 8 Barby Road includes a bedroom, kitchen and bathroom window. The nearest windows within the proposed boarding house include a drawing room at ground floor level, a living room window at first floor level and a bedroom window at second floor level. The degree of separation between the properties is circa 10 metres, with any lower level windows being screened by a boundary wall. Due to the windows within the proposed building being rooms that are only occasionally occupied, the degree of separation and the nearest property, number 8 Barby Road being a residential property in the ownership of the Rugby School Estate, it is considered that there will be a negligible impact in terms of loss of privacy and overlooking. The properties 4 and 6 Barby Road are positioned behind 8 Barby Road and therefore any views will be restricted to these properties.

To the north side boundary are the backgardens of the residential properties, 1 to 14 Oak Street. The gardens of the properties at 1-6 Oak Street back on to the gardens of 6 to 8 Barby Road. The distance to the boundary from the nearest side elevation window is circa 18 metres, with any views from the roof terrace being obscured by the proposed side elevation flank.

The gardens of 7 to 14 Oak Street are larger in size and back on to the boundary of the application site. The rear elevations of the properties are at a minimum circa 20 metres away in distance from the boundary, with the exception of number 9 Oak Street, which is circa 12 metres from the boundary and circa 20 metres from the nearest windows of the proposed boarding house. The rear boundaries of the gardens are circa 18 metres away from the terraced area. It is therefore considered that any loss of privacy or overlooking to these properties will be negligible.

The proposal therefore accords with policy CS16 of the Rugby Borough Core Strategy 2011 and the SDP - Sustainable Design and Construction Supplementary Planning Document.

Protection of the Heritage Assets

Policy CS16 states that particular emphasis is placed on retaining the identity, appearance and character of a Conservation Area or a Listed Building and the NPPF, in Section 12 highlights the importance of conserving and enhancing the historic environment, in particular the significance of any heritage asset or the setting of a heritage asset that may be affected by a proposal.

Although the majority of the proposal site is located outside of the conservation area boundary, the mature lime trees on Oak Street, which bounds the site to the north, are located within. There are also listed buildings within close proximity: Kilbraken House across Barby Road to the east and the church of St Maries, a mid-nineteenth century grade II* church located to the rear of the application site, on Dunchurch Road.

The adjacent conservation area to the north and to the east has two adjacent areas which each have a distinct character and identity. The first includes, the listed building Kilbracken House, which is a large red brick building located adjacent to an area of open space. Kilbracken House will be separated from the application site by the red brick wall, the mature lime trees by a lawn area and the highway and an area of open space. The second includes Oak Street which has the appearance of a semi-rural lane, enclosed by stone walls (with limited openings) and is overhung by a number of mature trees and is

separated from the application site by the gardens to the rear. The Church of St Marie is a landmark building, with a large tower located towards the rear, positioned behind the sports centre and the Collingwood Centre.

The proposed boarding house will be a prominent addition to the streetscene and can be considered distinct in appearance, in comparison with the listed buildings and the conservation heritage asset. However, as the proposal is of a high quality design and the property is of a similar size and scale to the other buildings within the area, it is considered that the proposal will contribute to the overall appearance of the conservation area and the nearby heritage assets.

Sustainable Design

This proposal has been developed in line with Rugby Borough Council's Sustainable Design and Construction criteria to ensure that the proposal utilises both natural and renewable sources of energy. The following key areas have been targeted to include: Energy Efficiency, Renewables and Robustness/Low Maintenance. Warwick District Council Building Control Officer concluded that the details provided are satisfactory, regarding the materials and thermal performance, and also the provision of the 85m² array of photovoltaic panels to the roof of the main building to provide up to 9000 kilowatts per year of renewable energy. Therefore, the proposal is considered to comply with policy CS16 and CS17.

Access and Highways

WCC Highways initially objected to the proposal for the following three reasons:

1. Further investigation into the requirement for another pedestrian crossing on Barby Road should be carried out prior to determination.
2. The existing vehicular access to the site from Barby Road is not considered suitable for construction traffic or the purpose intended.
3. It needs to be demonstrated that the proposed loss of parking will not have a detrimental effect on the public highway.

Additional information was submitted by the agent in regards to the parking provision and pupil numbers, pupil movement and interaction between the sites. WCC Highways concluded that the reasons for their initial objection in regard to a pedestrian crossing and the parking provision have been satisfactorily overcome and therefore raise no objections.

Following other concerns raised regarding access, in particular use by larger coaches, further information was submitted. The applicants have confirmed that larger coaches would not be using the access to the site.

Therefore WCC Highways final comments conclude that based on the further correspondence and information submitted, including more detailed plans and swept paths, they consider that the number of pedestrian crossing Barby Road will probably not warrant a signalised pedestrian crossing, that a coach less than 13 metres in length can access and egress the site in accordance with guidance, and that suitable parking will be retained. As such, the reasons for the initial objection appear to have been overcome, and the final response is one of no objection, subject to conditions and informatives.

Trees & Landscaping.

A number of trees are located within the site, some of which are protected by virtue of them being located within the Conservation Area.

The Rugby Arborist Officer has submitted the following comments:

There is a row of early mature Lime trees to the site frontage. They were “lapsed pollards” i.e. lime trees which had previously been pollarded but had subsequently established top heavy new re-growth. From an arboricultural point of view it is always good practice to maintain this pollarding cycle to ensure their long term retention.

These trees have just recently been re-pollarded. Permissions were granted to do this by the LPA as the trees are within the conservation area. They will soon develop new canopies and provide screening to the proposed development behind.

The proposed building is between 11 and 14 metres away from the group of Lime trees therefore outside their respective “root protection areas”. Existing hardstanding in close proximity to the trees will be replaced with lawn therefore potentially improving ground conditions for the trees. Therefore there is ample room between the trees and proposed building for them to co-exist successfully.

It is important however, that in the event of permissions being granted that a scheme for the protection of the Lime trees to the front is put in place so they are not damaged during the construction phase. For example protective fencing (as per the recommendation so BS5837:2012 – Trees in relation to design, demolition and construction – recommendations) should be erected and a methodology stated as to how the existing hardstanding around or in close proximity to these trees will be removed without incurring any root damage.

In conclusion, the Arborist Officer has no objection, subject to a condition regarding an Arboricultural method statement/root protection plan. Therefore, it is considered there will be no adverse impact on the trees within the area.

Protected Species.

WCC Ecology has advised that, as the existing site comprises an area of hardstanding (the car park), it is of low ecological value. It is also recognised that there is no expected removal of existing trees or shrubs and the existing mature lime trees are to be retained. WCC Ecology also welcomes the inclusion of bat boxes. WCC Ecology has no objection, subject to appropriate informatives being included in the decision. In view of this, it is concluded that the proposal will not have an adverse impact on protected species and is therefore in accordance with saved policy E6.

Recommendation

Approve subject to conditions:

DRAFT DECISION

APPLICATION NUMBER

R16/1322

DATE VALID

24/06/2016

ADDRESS OF DEVELOPMENT

COLLINGWOOD CENTRE
OAK STREET
RUGBY
CV22 5DZ

APPLICANT/AGENT

Mr Ryan Gorman
Gotch, Saunders & SurrIDGE Llp
35 Headlands
Kettering
NN15 7ES
On behalf of Judith Robinson

APPLICATION DESCRIPTION

Erection of part two and a half and part single storey building to provide a new School Boarding House comprising 60 No. study bedrooms, atrium, common rooms, catering facilities and accommodation for the house masters and matron together with roof top terrace at first floor, lawn areas at ground floor associated landscaping and on-site car parking.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

The Application Form

The Design and Access Statement

Existing Site Location Plan - (S)001 Rev B - Scale 1:500

Existing Site Plan - (S)002 Rev A - Scale 1:200

Existing Elevations - (S)010 - Scale 1:100

Existing Elevations - (S)011 - Scale 1:100

Proposed Elevations - (SK)16 Rev C - Scale 1:100

Proposed Elevations - (SK)15 Rev C - Scale 1:100

Proposed Ground Floor Plan - (SK)11 Rev C - Scale 1:100

Proposed First Floor Plan - (SK)12 Rev C - Scale 1:100

Proposed Second Floor Plan - (SK)19 Rev B - Scale 1:100

Proposed Roof Plan - (SK)08 Rev B - Scale 1:100

All received on the 17th June 2016

Proposed Site Plan - (SK)17 Rev C - Scale 1:200

Received on the 23rd September 2016

REASON:

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 3:

Notwithstanding any information indicated in the application no development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

CONDITION 4:

The premises shall be used solely by Rugby School as a School Boarding House as specified under Class C2 and for no other purposes including any other purpose in Class C2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification.

REASON:

In the interests of the amenities of the locality.

CONDITION 5:

Prior to the commencement of any works, a Construction Method Statement shall be submitted in writing to, and approved by, the Local Planning Authority. This shall include details relating to:

- 1) The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase
- 2) The control of dust including arrangements to monitor dust emissions from the development site during the construction phase
- 3) Measures to reduce mud deposition offsite from vehicles leaving the site.

The applicant/developer has a legal responsibility to ensure dust and debris generated from all construction activities and processes in addition to site preparatory works, shall not cause dust/mud/debris to be emitted off site so as to adversely affect adjacent receptors. If off site migration of such emissions occur, the activity requires suspension until revised prevention/mitigation measures are approved by Environmental Services or the Local Planning Authority.

Development shall be carried out in compliance with the approved Construction Method Statement, unless otherwise approved in writing by the Local Planning Authority.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION 6:

The development shall not be occupied until the car parking, servicing and manoeuvring areas as shown on the approved plan have been laid out in accordance with the approved details and such areas shall be permanently retained for the parking and manoeuvring of vehicles, and shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON:

In order to ensure that satisfactory parking and access arrangements are maintained within the site.

CONDITION 7:

No coach or bus longer than 13.0 metres shall be allowed to access and egress the site. No gates hung within the vehicular access to the site shall be closed when coaches or buses are expected.

REASON:

In the interest of Highway Safety

CONDITION 8:

No construction shall be undertaken until a Construction Management Plan has been submitted to and approved in writing by both the Planning and Highway Authorities. This should include details of;

- i. Access route for construction/contractors vehicles.
- ii. Parking of contractors vehicles including a temporary parking area required during the construction period for relocated staff parking as a consequence of access requirements.
- iii. Protection of pedestrian routes to the site and internal to the site.
- iv. Location of contractor's compound within the site.
- v. Turning provision for all associated construction/delivery vehicles.

REASON:

In the interest of highway safety

CONDITION 9:

The development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

REASON:

In the interest of highway safety

CONDITION 10:

Deliveries and collections associated with the construction of the proposed development shall not occur during peak periods on the highway network (08:00 to 09:00 and 17:00 to 18:00) or during periods when children are going to / or being collected from the local school.

REASON:

In the interest of highway safety

CONDITION 11:

An Arboricultural method statement/tree protection plan (BS5837:2012 Trees in relation to design demolition and construction recommendations) must be submitted to the LPA prior to commencement of any works on site which details how all retained trees located in close proximity to the proposal will be protected from damage during the construction phase including the removal of existing hard surfacing in close proximity to retained trees.

REASON:

To ensure the Lime trees to the site frontage and their respective rooting areas are not adversely affected during the construction phase.

CONDITION 12:

Adequate odour control is a combination of suitable capture, air movement, arrestment and treatment and dispersion via a filtration and stack (or flue) of an appropriate height. As such, prior to the commencement of any works, the applicant or agent must submit comprehensive details relating to the type, extent and technical specifications of the proposed odour abatement (filtration) system as well as plans showing the proposed height and terminus of the extract system duct-work exhaust stack.

REASON:

In the interests of the amenities of the locality.

STATEMENT OF POSITIVE ENGAGEMENT:

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

INFORMATIVE 1:

Permitted Construction Hours

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -

Monday to Friday	7.30 a.m. to 18.00 p.m.
Saturday	8.30 a.m. to 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

Advisory Note to Applicant

If work at other times is required permission should be obtained from the local planning authority.

The applicant/developer is advised that implementation of mitigation measures for demolition and construction dust, mud and debris or noise, does not prevent action from being undertaken by the Council or members of the public or businesses to secure the abatement, restriction or prohibition of statutory nuisance's actionable under the Environmental Protection Act 1990 or any other statutory provisions should statutory nuisance occur.

INFORMATIVE 2:

Bat populations have declined dramatically in recent years due to loss of roost sites as a result of development and loss of flight lines and foraging areas. Consequently bats are now afforded European protected species status. Consideration should be given to the provision of suitable bat boxes/access tiles within the new build in order to increase opportunities for wildlife. Further advice and information can be obtained from the Bat Conservation Trust at http://www.bats.org.uk/pages/bats_and_buildings.html.

INFORMATIVE 3:

a. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow 'so far as is reasonably practicable' from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

B. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

C. Prior to commencement of development, the applicant is required enter into an agreement with the Highway Authority under Section 59 of the Highways Act 1980. Prior to works taking place on site and following completion of the development, a joint survey shall be undertaken with the County's Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Locality Officer.

Reference number: R16/0659

Site address: Webb Ellis Industrial Estate, Woodside Park, Rugby, CV21 2NP.

Description: Erection of 44 no. new build apartments comprising of 2 no. studios, 33 no. 1 bed and 9 no. 2 bed flats.

Case Officer Name & Number: Lizzie Beresford 01788 533762.

This proposal is being presented to the Planning Committee as it is a major planning application.

Site Description

The Webb Ellis Industrial Estate is made up of four three storey brick built office blocks, situated within the larger industrial estate of Woodside Park. The four office blocks have recently been granted prior approval to be converted to residential use.

The site within its entirety is sited within the Rugby Urban Area, adjacent to the main railway line to the north, further industrial units to the west, office buildings to the east and residential dwellings to the south.

The site is irregular in shape, however it is relatively flat. It is predominately hardstanding with pockets of landscaping within and along its boundaries. The existing buildings within the site are three-storeys high with high floor to ceiling heights. They have brick facing materials with slate roofs. The residential properties to the south of the site are similar in their appearance, whereby they are brick built construction with white UPVC windows, however there are some occasions where they are rendered. The commercial properties to the east and west comprise a variety of materials.

The site is accessed from Woodside Park to the south via 2 vehicular and pedestrian access points. There is no access from any of the other boundaries. There is ample parking surrounding the four office blocks.

Proposal Description

Planning permission is sought for the erection of an L-shaped block containing 44 apartments. This block is proposed to comprise 2 x Studios, 9 x 2-bed and 33 x 1-Bed Apartments.

The new build L-shaped block will create a communal courtyard with the recently approved office conversions. The pedestrian entrance into the new build is via the courtyard. Existing site accesses from Woodside Park are retained. Car parking within the site is reconfigured accordingly to create a total of 133 spaces, with 66 spaces attributed to the 44 apartment new build block at 1.5 spaces per unit and 67 spaces to the 67 apartments within the existing buildings at 1 space per unit all to meet the Parking requirements of the site.

Extensive pre application discussions have taken place between the applicant and the LPA regarding the design, scale and massing of the proposed block. Original proposals sought the erection of a seven storey rectangular block. This was considered excessive by the LPA in that it would be too overbearing on the surrounding uses and not in keeping with the immediate vicinity. A number of amendments were subsequently made, each time reducing/altering the footprint, the number of storeys and the detailing of the windows/brickwork. The scheme proposed as part of this application was the final proposal put forward, which takes into account all of the negotiations between the applicant and the LPA.

The design of the block incorporates features from the surrounding office conversions, whereby the roof style mirrors the peaked gables above the windows within the roof space of the existing office conversions, detail in the brickwork using lighter bricks, and matching windows with the occasional Juliette balcony. The proposed block differs from the existing office conversions whereby it is four storeys, however the floor to ceiling height in the office conversions is greater than required by building

regulation standards, so the overall difference in height of the whole building is not excessive (approximately 1m) in relation to the overall scheme.

A design and access survey, topographical survey and detailed landscape scheme have all been submitted as part of the proposals.

Relevant Planning History

R89/1002/2212/P	Erection of 4 buildings and use for purposes within B1 of the Town and Country Planning (Use Classes) Order 1987 and erection of 41 units and use for purposes within B2 and B8 of the Town and Country Planning (Use Classes) Order 1987	Approved 26.3.1990
R15/1121	Conversion of four office blocks to 67 self-contained apartments with existing 106 parking spaces to be retained	Required and approved 02.07.15

Third Party Responses

Ward	No comments
Neighbours	No comments

Technical Consultation Responses

WCC Highways	No objection
WCC Ecology	No objection subject to informatives
WCC Flood Risk Management	No objection subject to conditions
RBC Environmental Health	No objection subject to conditions
WCC Archaeology	No objection
WCC Rights of Way	No objection
RBC Public Realm	No objection
RBC Arboricultural Officer	No objection
RBC Development Strategy	RBC Environmental Health
RBC Affordable Housing	No objection
Network Rail	No objection

Relevant Planning Policies and Guidance

National Planning Policy Framework (NPPF)

Part 7	Requiring Good Design
Part 11	Conserving and Enhancing the Natural Environment
Part 12	Conserving and enhancing the historic environment

Core Strategy

CS1	Development Strategy
CS10	Planning Obligations
CS16	Sustainable Design

Saved Local Plan Policies

E6	Biodiversity
T5	Parking Facilities
GP2	Landscaping

Other Documents

Sustainable Design and Construction SPD: Appendix B Residential Design Guide

Planning Obligations SPD

Assessment of Proposals

In the assessment of this application, the determining factors are the impact of the proposed development on:

1. Principle of Development
2. Land Designation and Use
3. Location and Accessibility
4. Landscape Character, Trees and Hedgerows
5. Highway Safety and Parking Provision
6. Flood Risk and Drainage
7. Air Quality, Noise and Contamination
8. Biodiversity
9. Visual Amenity
10. Residential Amenity
11. Planning Obligations

These factors will be discussed in more detail below.

1. Principle of Development

Located within the Rugby Urban Area, the provisions of policy CS1 detail that the urban area is the primary focus for strategic development in terms of housing meaning the principle of development for housing on the site is acceptable.

2. Land Designation and Use

The 0.94Ha site as existing is currently used as a car park for the four existing buildings, which benefit from Permitted Development Rights for conversion from B1 office to residential covered by Prior Approval ref R15/1121. As part of the previous prior approval application for the conversion of the office blocks to residential flats, the parking provided to serve these flats went above and beyond what would be considered acceptable for the size and number of units. This proposal has illustrated that the car parking on the site will be reconfigured accordingly to create a total of 133 spaces, with 66 spaces attributed to the 44 apartment new build block at 1.5 spaces per unit and 67 spaces to the 67 apartments within the existing buildings at 1 space per unit all to meet the RBC Parking requirements for the site. The utilisation of some of the parking area for this proposal would therefore not result in a detrimental impact on the parking provision for the previous scheme, whilst still ensuring all units on the site had adequate parking provision.

The site is surrounded by a mix of uses, including a railway line, residential, office and industrial. The primary view point from the site looks out onto residential properties. It is considered that residential use will contribute to the viability of the area through the redevelopment of a key site within the area.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to the existing and surrounding uses.

3. Location and Accessibility

Located within the urban area, the positioning of the site is considered to be in the most sustainable location of the Borough (policy CS1 of the RBC Core Strategy). In addition to this, half of the site is located within the designated 'high access parking area' (Planning Obligations SPD).

The site is on a main road network providing easy access to Rugby Town Centre and surrounding areas. It is also less than 300m from Rugby train station and 60m from the nearest bus stop. Due to its central location, the site benefits from easy access to the town centre, out of town retail parks, the railway station, bus stops, health care and leisure facilities.

The site is accessed from Woodside Park to the south via 2 vehicular and pedestrian access points. In addition to this, the site is predominantly flat, which ensures it is easily accessible for wheelchair users.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to its location and accessibility.

4. Landscape Character, Trees and Hedgerow

A detailed landscaping plan has been submitted as part of this application. The plan illustrated a significant increase of green space within and around the site. There will also be a substantial amount of planting along the boundary between the site and the railway line, which will clearly enhance the existing harsh and unattractive boundary treatment.

The landscaping scheme will ensure that the view of the site from Wood Street and Woodside part is enhanced from the minimal green areas within the site at present. Upon entering the site, the green spaces will be bordered with low level shrubs and trees. This will then continue along the boundary of the site as one travels up Woodside Park into the industrial estate.

The courtyard space between the proposed block and the existing office/residential units will feature a large grassed area, footpaths, and a central planted feature to create a space that not only is visually appealing, but also creates a 'place to live' as amenity space.

It should be noted that the implementation of the landscaping as part of this application is considered hugely significant. This is because the LPA had no control over any landscaping considerations as part of the previous prior approval application. It is therefore considered noteworthy that the landscaping scheme proposed as part of this application, which offers landscaping across the whole entity of the site, and not just surrounding the proposal, will not only enhance the proposed block, but will also benefit the existing prior approval permission.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to the landscape character and appearance of the proposed scheme.

5. Highway Safety and Parking Provision

The proposal demonstrates that the existing vehicle and pedestrian access points into the site from Woodside Park will be retained. In addition, there is ample provision to enable emergency vehicles to drive into the site and access all buildings. There is also a generous turning area for refuse vehicles to enter the site and collect the refuse from the three refuse stores located in different locations around the site.

WCC Highways were consulted on this application. Initial comments requested additional information in the form of a trip generation assessment, to establish whether the proposed development will have a detrimental impact on the operation of the local highway network. The applicant responded to WCC Highways requests and although a trip generation assessment was not provided, the floor areas of the existing office block were detailed, which enabled the Highway Authority to interrogate the TRICS database. The Highway Authority were then able to assess the number of vehicular trips that could potentially be generated by the existing permitted office (B1) use (4830sq.m), compared with the number of vehicular trips that could potentially be generated by the proposed 44no. apartments combined with the permitted 67no. apartments, approved under application R15/1121. TRICS indicated that the existing office use could generate approximately 535 vehicular trips throughout a 12 hour period (07:00-19:00). Approximately 90 vehicular trips would be generation during the AM peak hour (08:00-09:00) and approximately 63 vehicular trips would be generated during the PM peak hour (17:00-18:00). During the same 12 hour period, TRICS indicated that the combined 111no. apartments could generate approximately 283 vehicular trips. Approximately 30 vehicular trips would be generated during the peak hours. According to the TRICS database, the existing office use could generate significantly more vehicular trips, compared to the permitted and proposed apartments combined. WCC Highways subsequently considered that the reduction in vehicular trips would be betterment to public highway safety and therefore had no objection to the proposal.

In addition to this, although the proposed block will be positioned on existing parking spaces, the remaining spaces will still be adequate to serve all of the flats permitted under the previous prior approval application, and also the 44 new dwellings. To expand on this, the car parking within the site is proposed to be reconfigured to create a total of 133 spaces, with 66 spaces attributed to the 44 apartment block at 1.5 spaces per unit and 67 spaces to the 67 apartments within the existing buildings at 1 space per unit. The site straddles the boundary between the high and low access areas, resulting in half of the site being subject to the need for less parking than the general low access requirement across the borough. Taking this into consideration, along with the parking provided, it is considered that the parking provision is acceptable and conforms to the RBC Parking Standards as detailed within the Core Strategy.

In addition to the above detailed parking provision, an external secure and covered cycle store is proposed to be provided adjacent to the northern boundary providing 1 cycle space per new build unit, resulting in a total of 44 cycle spaces.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to highway safety and parking provision.

6. Flood Risk and Drainage

As a result of the consultation WCC Flood Risk Management team objected to the proposed scheme on the basis that no surface water or foul drainage strategy had been provided, and requested the following information was submitted:

- A surface water strategy identifying discharge location(s), attenuation (SuDS) proposals, discharge rate(s) and relevant calculations demonstrating that a suitable level of on-site attenuation can be provided on-site.
- A foul drainage strategy which identifies a point of discharge from the site.
- A short Flood Risk Statement identifying flood risk to the site and any potential impact the proposals may have on flood risk to off-site areas.

The applicant provided the information required, which satisfied the consultee subject to the inclusion of conditions on any permission granted. Comments from the consultee noted that as the site is 100% impermeable, and that the proposed development aims to achieve a reduction of 30% of open surface, the proposed development will benefit from utilising the existing network in the remaining areas where there is negligible external works.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to the flood risk and drainage.

7. Air Quality, Noise and Contamination

As part of the previous prior approval application for the conversion of the office blocks to residential flats, a number of conditions were attached to the approval relating to air quality, noise, and contamination. To satisfy these conditions, a number of reports have been submitted by the applicant.

As a result of consulting Environmental Health regarding this application, similar reports were again requested. Notwithstanding the reports that were previously submitted, the proposed block is in a different position, and therefore different considerations may exist. It is therefore necessary for further reports to be submitted to satisfy the requirements of Environmental Health.

Environmental Health commented that the proposed development will involve new residential dwellings and new ground intrusive works. The site proposed for development is located over historical railway sidings, goods sheds and cattle pens. These historical uses have the potential to cause contamination to the land and present a risk to the proposed end user.

Environmental Health subsequently requested a contaminated land assessment to be submitted prior to the development. Furthermore it was commented that no development is permitted to commence without a full scope of contaminated land investigation, risk assessment and remediation and validation if required. Such investigation will need to include ground gas monitoring and assessment. Such requests can be dealt with under a planning condition.

In relation to air quality, environmental health commented that as part of proposed development, ground preparation and construction works will be required that have the potential to generate dust, mud and debris and impact on surrounding businesses and residential receptors and the local highway network. Environmental Health subsequently requested that a Dust Mitigation report would be required to be submitted prior to any work on site. This work can be compiled within a Construction Environmental Management Plan (CEMP). This will need to be covered by pre-commencement planning condition.

Environmental Health also commented that the applicant is advised that implementation of mitigation measures for demolition and construction dust, mud and debris, does not prevent action from being undertaken by the Council or members of the public or businesses to secure the abatement, restriction or prohibition of statutory nuisance's actionable under the Environmental Protection Act 1990 or any other statutory provisions should statutory nuisance occur.

In relation to Environmental Noise, Environmental Health commented that prior to any development commencing a full noise survey and assessment by a competent noise consultant must be prepared and submitted, with any proposed works, to the local planning authority for approval. The assessment must take into account noise emitted from the West Coast Main Line and air handling equipment on the adjacent commercial building. Again, this can be controlled by a planning condition.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to air quality, noise and contamination.

8. Biodiversity

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. In addition, Part 11 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity.

WCC Ecology has no objection to the proposal subject to informatives. It is therefore considered that this proposal will not have an adverse impact on biodiversity.

9. Visual Amenity

Part 7 of the NPPF emphasises the importance of good quality design and Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated.

The application site is not located within a Conservation Area; in addition it does not provide a significant contribution to the character and appearance of the area. However, consideration is given to the impact upon the character and appearance of immediate and wider surroundings to ensure the landscape is not negatively impacted. Policy CS16 is therefore relevant in that it seeks to ensure that new development should complement, enhance and utilise where possible the area.

Within the immediate area there is a mix of uses, including a railway line, dwellings, flats, offices and industrial buildings.

In consideration of the scale and layout of the proposed block, the new build is considered to be in keeping with the existing units, whereby it forms an L-Shape to border the existing units, creating a courtyard and screening off the railway from the newly converted flats. The existing units are 3 storeys in height. Even though this proposal is for a 4 storey unit, the overall difference in height is approximately 1m. This is because the floor to ceiling height in the existing units is significantly greater than those proposed in the new build. Notwithstanding the above, and in consideration of the positioning of the new build block to the rear of the site adjacent to the railway and the 6 storey Network Rail building on the other side of the railway line, the increase in height (of 1m) is not considered obtrusive to the overall visual amenity of the site and therefore considered acceptable.

The footprint of the new build unit is also considered acceptable in relation to the existing units. At present, the four existing units form a series of 'right angles' across the site. The proposal for the new unit is as an 'L-shape'. The positioning of this 'L-shape' unit in relation to the existing units is such that it 'completes' the site and forms an amenity space in the form of a courtyard. This is considered an attractive part of the proposal that considerably enhances the scheme, creating a 'place to live' as opposed to just a 'development site'.

The design detail in the proposed new block is such that it utilises key features from the existing units, maintaining the aesthetic of the existing building on the site whilst at the same time adopting more of a modern approach. This includes the eaves details, roof detail, brick work and window design. This creates continuity within the site and ensures that the new block will be in keeping with the surrounding residential units. Other surrounding uses, namely the industrial and office blocks do not offer any particular architectural or visual contribution to the area. It is therefore considered that the proposed new block will have a minimal impact on the immediate or wider setting of the area.

The landscaping scheme also contributes significantly to the attractiveness of the site as a whole, which includes enhancing the already permitted prior approval scheme, which by nature of its prior approval, contained no control over the implementation of a landscaping scheme. The landscape approach to the site creates a number of soft landscaped areas, with a particular focus on the courtyard area, which is currently predominately hardstanding. The new soft landscaping also considerably enhances the frontage of the site (viewed from Woodside Park), creating an attractive view both in and out of the site.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to visual amenity.

10. Residential Amenity

Policy CS16 states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The site is clearly positioned in a built up, densely developed area. As previously stated, the area surrounding the site contains a mix of uses, including a railway line, dwellings, flats, offices and industrial buildings. Careful consideration therefore has to be given to the varying impact that this proposal could have on the range of surrounding uses.

Primarily, the predominant impact to assess is the impact on the residents and users of the recently converted offices as these buildings are within the closest proximity of the proposed unit. When considering the layout of the proposed new unit in relation to the existing units, there are clearly windows facing out of both the new and old units. Given the nature of the proposal and the existing density of the area, along with the distances that are achieved between these windows (ranging from 22m-31m) it is considered that any potential impact would not be so great to negatively impact upon the residential amenity of future residents of the flats. It should be noted that there will be no obscure glazing requested on any of the windows as there are no external windows to any bathrooms.

A second potential impact to consider is the noise from the railway line and the impact that this could have on the future residents of the proposed new unit. Extensive consultation has taken place with Environmental Health, who have ensured a condition will be attached to any permission granted relating to noise mitigation. As previously stated, the applicant will need to submit a full noise survey to satisfy the requests of Environmental Health. From this, Environmental Health will be able to advise what measures should be put in place to mitigate any impacts from noise generation from the nearby railway line. This will be dealt with during the discharge of the condition.

Finally, consideration should be given to the other surrounding uses to the site – the industrial building, the office block (Myson House), the residential dwellings and the railway line. In consideration of the impacts that this proposal could bring to these uses, it is considered that the proposal has been sympathetically designed to reduce the detrimental impacts that the proposal could bring. As the unit is positioned to the rear of the site, the unit will be behind and subsequently further away from the industrial units, office block and residential dwellings than the existing office conversions. The screening of the proposed unit by the office conversions also assists in reducing any material impacts. Network Rail informed the applicant of a covenant that restricted any development within 10m of the railway line. This has been taken into account in the design and a 10m buffer has been proposed.

Consideration in relation to the ability to 'use' and 'live' in the proposed residential block, as well as the recently converted units, should also be given. The proposal provides a high quality, comprehensive design, which is accessible and inclusive. The scheme not only enhances the visual character and amenity of the site by screening the railway and providing landscaping, but it also ensures all users have ample access to parking, cycle stores and designated bin stores. Features such as those listed all enhance the site resulting in practical and functional living arrangements. In addition to the above, the site is located in the most sustainable location of the borough, providing easy access to the town centre, out of town retail parks, the railway station, bus stops, health care and leisure facilities.

In consideration of the above, it is considered that the proposal for residential development is acceptable in relation to residential amenity.

11. Planning Obligations

Policy CS10 and the Planning Obligations Supplementary Planning Document states that financial contributions may be sought to mitigate against the impacts of a development. Guidance contained within Circular 05/05 Planning Obligations and the Community Infrastructure Levy Regulations state that in order for obligations to be taken into account they must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; &
- Fairly and reasonably relates in scale and kind to the development.

If the contribution requests do not comply with these criteria it is not considered that the contribution can be required by the Council.

As the site is for 44 dwellings, triggers for contributions for Open Space, Education and Affordable Housing are met. A viability appraisal has been submitted by the applicant, which the development strategy team have been consulted on and have accepted.

As such, it has been proposed that £84,110 will be contributed towards open space provision, which will go towards the Aqua Place Play Area, Parks and Gardens and Habitat improvements at the Old Leicester Line.

£3,300 will also be contributed to Warwickshire County Council toward Welcome Packs at a cost of £75 per dwelling.

Education can only request contributions from proposals that are for units with 2 or more bedrooms. As the majority of the proposed flats are only 1 bedroom, the total sum for the remaining units was minimal therefore WCC Education did not request a contribution.

The viability appraisal submitted by the applicant identified that it would not be viable to provide contributions towards affordable housing, given the contribution that was being made towards open space. In addition, it was commented by the RBC Affordable Housing team that it would be difficult to secure a Registered Social Landlord on a block of flats as they would not own the free hold of the building. Subsequently there are no contributions being made towards affordable housing.

The total contribution as a result of this development will therefore amount to £87,410. This is currently being formalised under a Section 106 agreement.

In consideration of the above, the proposed development therefore complies with policy CS10 and saved policy H11.

Conclusion

With regard to the above, it is considered that the overall proposal will comply with parts 7, 11 and 12 of the NPPF, policies CS1, CS10 and CS16 of the RBC Core Strategy, policies E6, T5 and GP2 of the RBC Saved Local Plan, the Planning Obligations SPD, and the Sustainable Design and Construction SPD: Residential Design Guide.

Recommendation:

Approve subject to appropriate conditions, informatives and Section 106 agreement.

DRAFT DECISION

APPLICATION NUMBER

R16/0659

DATE VALID

29/03/2016

ADDRESS OF DEVELOPMENT

Webb Ellis Industrial Estate
Woodside Park
Rugby
CV21 2NP

APPLICANT/AGENT

Mr Alan Powell
Ramsden And Partners
8 Wharf Street
Leeds
LS2 7EQ
On behalf of Minton Rugby Ltd, c/o agent

APPLICATION DESCRIPTION

Erection of 44 no. new build apartments comprising of 2 no. studios, 33 no. 1 bed and 9 no. 2 bed flats.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

- Application form - Design and Access Statement
- Topographical survey
- 11562 C Landscaping
- FW886/FRA/001 v1
- 2894 100
- 2894 101
- 2894 102
- 2894 200
- 2894 201

- 2894 202
- 2894 203
- 2894 400
- 2894 401
- 2894 600

REASON:

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 3:

No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

CONDITION 4:

Notwithstanding any information already provided, full details of the siting, design and materials of the proposed bin and cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall be provided, in accordance with the approved details before the first occupation of the proposed unit.

REASON:

In the interest of visual and residential amenity.

CONDITION 5:

No development shall commence unless and until details of the boundary treatment to the north and east of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of visual amenity.

CONDITION 6:

No development shall commence until a Contaminated Land Assessment has been submitted to and approved in writing by the Local Planning Authority. The Contaminated Land Assessment should include a full scope of contaminated land investigation, risk assessment and remediation and validation if required.

REASON:

In the interest of health and safety.

CONDITION 7:

No development shall commence until a Dust Mitigation Report is submitted to and approved in writing by the Local Planning Authority. The Dust Mitigation Report can be compiled within a Construction Environmental Management Plan (CEMP).

REASON:

In the interest of health and safety.

CONDITION 8:

No development shall commence until a full noise survey and assessment by a competent noise consultant has been submitted to and approved in writing by the Local Planning Authority. The assessment must take into account noise emitted from the West Coast Main Line and air handling equipment on the adjacent commercial building.

REASON

In the interest of health and safety.

CONDITION 9:

No development shall take place until detailed surface and foul water drainage schemes for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC). The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

a. Carry out infiltration testing in accordance with BRE 365 guidance to clarify whether infiltration into the ground is a viable means of disposing of surface water.

B. Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753

c. Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the 5l/s for all return periods within the area of substantial external works (0.243ha).

D. Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in "Science Report SC030219 Rainfall Management for Developments"

e. Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the drainage system for a range of return periods and storms durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

F. Evidence from Seven Trent Water (STW) will be required granting approval of surface water discharge to their assets including discharge rate and connection points.

G. Demonstration of the proposed allowance for exceedance flow and associated overland flow routing

h. A foul water drainage scheme including evidence from Seven Trent Water (STW) granting approval of discharge of sewerage to their assets including discharge rate and connection points

i. Provide a Maintenance Plan to the LPA giving details on how the entire surface water system shall be maintained and managed after completion for the life time of the development. The name of the Estate

Management and/or Specialist and a contact for who will be responsible for the site shall be provided to the LPA.

REASON:

In the interest of flood risk management.

CONDITION 10:

The parking layout and cycle stores as proposed on plan 2894 101 shall be provided for the sole use of occupiers of the residential accommodation hereby approved in conjunction with the use approved under planning permission reference R15/1121 and shall remain available at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION 11:

The landscaping scheme, as detailed on the approved plans, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

To ensure the proper development of the site and in the interest of visual amenity.

CONDITION 12:

Details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to the Local Planning Authority (in consultation with Network Rail).

REASON:

To prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

CONDITION 13:

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -

Monday - Friday 7.30 a.m. - 18.00 p.m.

Saturday 8.30 a.m. - 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

If work at other times is required permission should be obtained from the local planning authority.

REASON

In the interest of health and safety.

INFORMATIVE 1:

This development is subject to a s106 legal agreement.

INFORMATIVE 2:

The applicant/developer is advised that implementation of mitigation measures for demolition and construction dust, mud and debris, does not prevent action from being undertaken by the Council or members of the public or businesses to secure the abatement, restriction or prohibition of statutory nuisance's actionable under the Environmental Protection Act 1990 or any other statutory provisions should statutory nuisance occur.

INFORMATIVE 3:

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

INFORMATIVE 4:

A variety of bird species use bird boxes for nesting. They can be particularly useful in the urban environment, where natural nesting places can be scarce. Consideration should be given to the provision of suitable bird boxes within the new build or adjacent trees, in order to increase nesting opportunities for birds. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of bird boxes to use.

INFORMATIVE 5:

The developer will need to serve a Party Wall Act 1996 notification on Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal. Whilst the Party Wall Act is outside the planning process the developer is requested to serve notice to the email address below as there are works proposed adjacent to our boundary: OperationalPropertyLNW@networkrail.co.uk

INFORMATIVE 6:

a)

A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any site security, possession costs, asset protection costs, and site visits and any review and agreement of proposal documents.

b)

As part of the BAPA the developer will need to submit a risk assessment and method statement (RAMS) for the proposal to the Network Rail Asset Protection Engineer once the proposal has entered the development and construction phase. The RAMS should consider all works to be undertaken within 10m of the operational railway. We require reviewing the RAMS to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. The developer should contact Network Rail Asset Protection prior to works commencing at AssetProtectionLNWSouth@networkrail.co.uk to discuss the proposal and RAMS requirements in more detail.

INFORMATIVE 7:

a)

The site plan shows vehicle parking spaces adjacent to the railway boundary.

Where a proposal calls for the following adjacent to the boundary with the operational railway or running parallel to the operational railway:

- Hard standing areas
- Turning Circles
- Roads, public highways to facilitate access and egress from developments

Network Rail would very strongly recommend the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from private land and public rights of way impacting upon the safe operation of the railway.

The developer is advised to provide a risk assessment (RVI) to determine what protection should be given to the railway and its boundary as a result of placing roads, parking spaces or turning circles adjacent to railway land.

The Road Vehicle Incursion (RVI) Risk should be considered by the developer in conjunction with the LPA and the Highways team. A risk assessment will provide a clear framework for any mitigation measures necessary when constructing a proposal that includes vehicle parking or vehicle movements adjacent to the railway.

INFORMATIVE 8:

The developer should install adjacent to the railway boundary a suitable trespass proof fence of a minimum 1.8m in height. The fence and its foundations should be constructed wholly within the proposal land ownership footprint. The fence is required to prevent any unauthorised access onto Network Rail from the development. Any existing Network Rail fencing must remain in place.

INFORMATIVE 9:

The proposed apartment blocks are 3-4 storeys high.

Any scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, should they topple over in the direction of the railway then there must be at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

This is to ensure that the safety of the railway is preserved and that scaffolding does not:

- Fall into the path of on-coming trains
- Fall onto and damage critical and safety related lineside equipment and infrastructure
- Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

The applicant is requested to submit details of proposed scaffolding works to the Network Rail Asset Protection Engineer for review and agreement.

The proposal may also require the use of cranes on site as well. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the boundary with Network Rail. However, where this is unavoidable, Network Rail's Asset Protection Engineer must be consulted; crane working diagrams, specification and method of working must be submitted for review and agreement prior to work(s) commencing on site.

INFORMATIVE 10:

If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer.

- All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.
- The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

INFORMATIVE 11:

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil.
- All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
- Buildings and structures must not over-sail Network Rail air-space.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by a third party that may adversely impact its land and infrastructure.
- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

INFORMATIVE 12:

All surface water is to be directed away from the direction of the railway. Soakaways, as a means of storm/surface water disposal must not be constructed near / within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

- Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.
- Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property.
- Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
- Suitable foul drainage must be provided separate from Network Rail's existing drainage.
- Drainage works could also impact upon culverts on developers land.

Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land causing flooding, water and soil run off onto lineside safety critical equipment / infrastructure; or lead to de-stabilisation of land through water saturation.

INFORMATIVE 13:

Network Rail will need to review all excavation and earthworks within 10m of the railway boundary to determine if the works might impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to be informed of any alterations to ground levels, de-watering or ground stabilisation and we would need to agree the works on site to ensure that there is no impact upon critical railway infrastructure. When under-taking ground works, developers should take all necessary measurements from the boundary with Network Rail land and not the distance from their works to the nearest railway tracks.

INFORMATIVE 14:

Network Rail requests that the developer ensures there is a minimum 2 metres gap between the buildings and structures on site and our boundary fencing.

- To allow for all construction works on site and any future maintenance to be carried out wholly within the applicant's own land ownership and without encroachment onto Network Rail land and air-space. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949).
- To ensure that should the buildings and structures on site fail or collapse that it will do so without damaging Network Rail's boundary treatment or causing damage to the railway (e.g. any embankments, cuttings, any lineside equipment, signals, overhead lines) and to prevent the materials from the buildings and structures on site falling into the path of trains.
- To ensure that the buildings and structures on site cannot be scaled and thus used as a means of accessing Network Rail land without authorisation.
- To ensure that Network Rail can maintain and renew its boundary treatment, fencing, walls.
- That the proposal will not be impacted by overhead electrified lines. Induced voltage can affect structures or individuals up to 20m from the overhead line. AC lines have overhead cables, DC lines are third rail.

- There are no Party Wall issues for which the applicant would be liable for all costs.
- To ensure that the applicant does not construct their proposal so that any foundations (for walls, buildings etc) do not end up encroaching onto Network Rail land. Any foundations that encroach onto Network Rail land could undermine, de-stabilise or other impact upon the operational railway land, including embankments, cuttings etc. Under Building Regulations the depth and width of foundations will be dependant upon the size of the structure, therefore foundations may impact upon Network Rail land by undermining or de-stabilising soil or boundary treatments.

INFORMATIVE 15:

Network Rail recommends that the LPA and the developer (along with their chosen acoustic contractor) engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings. Consideration might be given by the developer, acoustic contractor and the LPA to existing British Standards, the National Planning Policy Framework, Regulatory Services guidance, e.g. Significant Observed Adverse Effect Level (SOAEL), the Noise Policy Statement for England and the World Health Organisation (WHO) recommendations when considering noise and vibration mitigation measures for third party proposals in proximity to the railway.

Network Rail is aware that residents of dwellings adjacent to the railway have in the past discovered issues upon occupation of dwellings with noise and vibration from the existing operational railway, as a consequence of inadequate mitigation measures for the site, and therefore it is a matter for the developer and the LPA via mitigation measures and conditions to ensure that these issues are mitigated appropriately prior to construction. To note are:

- The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.
- Network Rail also often carry out works at night on the operational railway when normal rail traffic is suspended and often these works can be noisy and cause vibration.
- Network Rail may need to conduct emergency works on the railway line and equipment and these would not be notified to residents in advance due to their safety critical nature, and may occur at any time.
- Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for project or emergency works.
- The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators, and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.
- The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.
- Any assessments required as a part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.
- Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.

STATEMENT OF POSITIVE ENGAGEMENT:

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

AGENDA MANAGEMENT SHEET

Report Title:	Revocation of Hazardous Substances Consents at the sites of H.W Coates on Roman Way and Cosford Lane, Rugby
Name of Committee:	Planning Committee
Date:	19th October 2016
Report Director:	Head of Growth and Investment
Portfolio:	N/A
Ward Relevance:	N/A
Prior Consultation:	N/A
Contact Officer:	Owain Williams, Tel: 3789
Public or Private:	Public
Report subject to Call-In:	N/A
Report En-Bloc:	N/A
Forward Plan:	N/A
Corporate Priorities:	
Statutory / Policy Background:	Planning (Hazardous Substances) Act, 1990
Summary:	The report seeks approval for the making of an Order under S14(1) of the Planning (Hazardous Substances) Act 1990 to revoke the Hazardous Substances Consent (HSC) at the sites of H.W Coates on Roman Way and Cosford Lane, Rugby, subject to confirmation by the Secretary of State
Financial Implications:	It is indicated in S16(1) of the Planning (Hazardous Substances) Act that

compensation could be sought if powers to revoke consents are used under S14(1) of the Planning (Hazardous Substances) Act 1990. However the applicants are aware and support the revocation as new Hazardous Substances Consents will be granted upon the revocation of the existing consents.

Risk Management Implications:

N/A

Environmental Implications:

The consents being revoked are to be replaced by two other Hazardous Substances Consents, one for each site.

Legal Implications:

N/A

Equality and Diversity:

N/A

Options:

N/A

Recommendation:

The Legal Services Manager be authorised to prepare a Revocation Order under S14 of the Planning (Hazardous Substances) Act 1990, to be forwarded to the Secretary of State for confirmation.

Reasons for Recommendation:

To avoid the new Hazardous Substances Consents sitting alongside the existing consents. Granting new consents do not automatically revoke existing consents associated with the sites in question.

Planning Committee - 19th October 2016

Revocation of Hazardous Substances Consents at the sites of H.W Coates on Roman Way and Cosford Lane, Rugby

Report of the Head of Growth and Investment

Recommendation

The Legal Services Manager be authorised to prepare a Revocation Order under S14 of the Planning (Hazardous Substances) Act 1990, to be forwarded to the Secretary of State for confirmation.

Introduction

These sites at Roman Way and Cosford Lane, in the ownership of H.W Coates, benefit from Hazardous Substances Consent (HSC) in the form of deemed consent under the Planning (Hazardous Substances) Regulations 1992 (SI 1992 No 656) as amended by the Planning (Control of Major Accident Hazards) Regulations 1999 (SI 1999 No 1981).

Cosford Lane site – the last HSC granted for the site R12/1870 gave permission for the storage of materials in the following categories:

- a) Classified as Oxidising (Cat 3) 199 tonnes;
- b) Classified as Environmentally Hazardous (Cat 10i) 199 tonnes;
- c) Classified as Environmentally Hazardous (Cat 10ii) 499 tonnes.

Roman Way site – the last HSC granted for the site (R12/0471) gave permission for the storage of materials in the following categories:

- a) Dangerous for the Environment Class 10(i) 199 Tonnes;
- b) Dangerous for the Environment Class 10(ii) 499 Tonnes;

Due to the existence of the HSC, a Consultation Zone was established. Proposals for future development at the Site and/or on land adjacent/near to the Site are referred to consultees to consider possible effects on public safety. The Health and Safety Executive (HSE) is a consultee along with the Council's Environmental Services department.

Legislative Background

The Planning (Hazardous Substances) Act 1990 (the Act) allows for HSCs to be revoked under Section 14. Rugby Borough Council, as Hazardous Substances Authority, can make a revocation order under S14(1) or (2) of the Act. The

revocation will be subject to confirmation by the Secretary of State under S15 of the Act (even when it is unopposed).

The grounds under which revocation can be made are set out in S14(1) as being:-

The hazardous substances authority may by order revoke a hazardous substances consent or modify it to such extent as they consider expedient if it appears to them, having regard to any material consideration, that it is expedient to revoke or modify it.

The case for revocation under S14 (1)

The revocation of the existing consents on the two sites in Roman Way and Cosford Lane has emanated from the submission of two proposed HSC's R16/0930 and R16/0922. These HSC applications have been made by H.W Coates with the intention to replace the existing HSC at the sites.

At present all the HSC on the two sites are written in terms of the COMAH (Control of Major Accident Hazards) 1999 Regulations, however in June, COMAH 2015 was introduced and this completely changed the approach for classifying chemicals. This has the potential to create errors in the systems of H.W Coates which are written in the old regulations. What is proposed by H.W Coates is transferring the old consents into the new COMAH categories. To do this the existing consents would have to be revoked and new consents put in place.

The second part of the process has already begun with the submission of two new HSC however these are held awaiting the revocation of the existing consents.

Through consultation with the Health and Safety Executive (HSE) it has been found that there are no significant reasons, on safety grounds, for refusing the Hazardous Substances Consents R16/0930 and R16/0922, provided that conditions indicated by the HSE are imposed on the consent. It has been advised by the HSE that the new consents would not automatically revoke the existing consents associated with the sites on Roman Way and Cosford Lane therefore suggests that if the Council are minded to grant the consent that the existing consents should be revoked in accordance with section 14 of the Planning (Hazardous Substances) Act 1990.

As the revocation of the existing HSC's are deemed expedient by the HSE to enable the new consents to be granted this would be compliant with S14 (1) of the Act and it is not considered that there are likely impediments to the revocation.

Name of Meeting:
Planning Committee

Date of Meeting:
19th October 2016

Subject Matter:
Revocation of Hazardous Substances Consents at the sites of H.W Coates on
Roman Way and Cosford Lane, Rugby

Originating Department: Head of Growth and Investment

List of Background Papers

There are no background papers relating to this item.

AGENDA MANAGEMENT SHEET

Report Title:	Amendment to the Scheme of Delegation - Variation and Removal of Planning Conditions Attached to Major Applications and Revocation of Hazardous Substance Consents
Name of Committee:	Planning Committee
Date:	19th October 2016
Report Director:	Head of Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Chris Kingham
Public or Private:	Public
Report subject to Call-In:	N/A
Report En-Bloc:	N/A
Forward Plan:	N/A
Corporate Priorities:	N/A
Statutory / Policy Background:	Planning and Local Government Legislation
Summary:	Applications to vary or remove conditions attached to major planning applications and the revocation of hazardous substance consents currently have to be determined by Planning Committee. The report therefore details the reasons why delegated authority is sought for Officers to determine such applications under delegated powers.

Financial Implications:	N/A
Risk Management Implications:	N/A
Environmental Implications:	N/A
Legal Implications:	N/A
Equality and Diversity:	N/A

- Options:**
1. To refer to Full Council that the Head of Growth and Investment should be given delegated authority to:
 - Determine applications for the variation and removal of planning conditions attached to major applications; and
 - Revoke hazardous substance consents.
 And for:
 - Part 2B (section 5.2.3.C) of the Council's Constitution be amended, as detailed in section 4.1 of the report.
 - Part 2B (section 5.2.2.H) of the Council's Constitution be amended, as detailed in section 4.2 of the report.
 2. To not agree for the Head of Growth and Investment to be given delegated authority to determine applications for the variation and removal of planning conditions attached to major applications and revoke hazardous substance consents.

Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT -

- (1) the Head of Growth and Investment be given delegated authority to:
 - (a) determine applications for the variation and removal of planning conditions attached to major applications;
 - (b) revoke hazardous substance consents;
- (2) Part 2B (section 5.2.3.C) of the Council's Constitution be amended, as detailed in section 4.1 of the report; and
- (3) Part 2B (section 5.2.2.H) of the Council's Constitution be amended, as detailed in section 4.2 of the report.

Reasons for Recommendation:

To increase the speed of determining applications, to save the time and cost of taking applications to Planning Committee and to reduce the number of applications being presented to Planning Committee.

Planning Committee – 19th October 2016

Amendment to the Scheme of Delegation - Variation and Removal of Planning Conditions Attached to Major Applications and Revocation of Hazardous Substance Consents

Report of the Head of Growth and Investment

Recommendation

IT BE RECOMMENDED TO COUNCIL THAT -

- (1) the Head of Growth and Investment be given delegated authority to:
 - (a) determine applications for the variation and removal of planning conditions attached to major applications;
 - (b) revoke hazardous substance consents;
- (2) Part 2B (section 5.2.3.C) of the Council's Constitution be amended, as detailed in section 4.1 of the report; and
- (3) Part 2B (section 5.2.2.H) of the Council's Constitution be amended, as detailed in section 4.2 of the report.

1. Background for Determining Applications to Vary or Remove Conditions Attached to Major Applications

- 1.1. When granting planning permission for major applications it is normally the case that this is subject to planning conditions. Such conditions are used to enhance the quality of development. They also enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development.
- 1.2. Planning legislation allows for a developer to apply to the Council to vary or remove any conditions which they do not wish to comply with. This often arises because of a change of circumstances (e.g. the timing of certain works) or because the developer wants to change part of the scheme (e.g. to alter the appearance of a dwelling).
- 1.3. The Council can only consider the conditions that are the subject of the application – it is not an opportunity to completely re-consider the original application. Where such an application is approved it results in a new planning permission being granted. The original planning permission continues to exist whatever the outcome of the application.
- 1.4. The Scheme of Delegation currently allows the Head of Growth and Investment to determine applications to vary or remove conditions relating to all applications. However, exceptions to this include major applications. In this respect applications to vary or remove conditions relating to major

applications are classified by the Government as major applications in their own rights. The Head of Growth and Investment consequently cannot determine these applications under delegated powers.

2. Issues With Current Process for Determining Applications to Vary or Remove Conditions Attached to Major Applications

2.1. The Government is keen to ensure that Council's improve the speed in which they determine applications. In this respect the current process leads to delays in the time in which the Council can issue decision notices for applications to vary or remove conditions attached to a major application. This is because such applications have to be presented to the next Planning Committee once the Officer Report is completed. Owing to the agenda print deadlines this can delay an application being determined by over 4 weeks following completion of the Officer Report. If Officers were given delegated powers to determine such applications the Council could therefore determine them within a much quicker time. In doing this it would also reduce the risk of the Council failing to determine such applications within the statutory 13 week timeframe.

2.2. Although classified as major applications, proposals to vary or remove conditions attached to major applications are typically of a minor, straightforward and simple nature. The following two applications which were determined by Planning Committee help to illustrate this:

a. Application R16/0480: The original major application was for the "Erection of an indoor menage to replace the approved stable block and exercise paddock". Following the grant of planning permission the applicant wanted to make some minor changes to the scheme. They consequently applied to vary a condition relating to the approved plans to show changes which increased the size of the building by 1.50 metres to the front and 1 metre to the side. This resulted in an approximately 6% increase in the size of the building with some associated changes to the design of the ménage. The application was reported to Planning Committee where a decision was made to approve the proposed variation of condition in accordance with the Officer recommendation.

b. Application R15/1503: The original major application was for the "Extension to Lime Tree Village to form 30 bed care home, 47 extra care cottages, 12 extra care apartments with associated communal facilities, open space & car parking". Following the grant of planning permission the applicant wanted to make one of the approved extra care cottages on one plot slightly larger. They consequently applied to vary a condition relating to the approved plans to show changes which increased the size of the building by 32m² and raised the ridge height by 0.55 metres with associated changes to the design of the building. The application was reported to Planning Committee where a decision was made to approve the proposed variation of condition in accordance with the Officer recommendation.

- 2.3. The current process consequently results in Planning Committee having to deliberate over whether to approve or refuse applications which are typically of a minor, straightforward and simple nature. This takes up the Committee's time which is principally intended to consider matters of a major and/or contentious nature. If Officers were given delegated powers to determine such applications the Planning Committee would therefore not need to consider minor variations to schemes which they have already determined.
- 2.4. The current process results in Officer time and therefore costs being spent on dealing with the extra work which is generated by taking applications to Planning Committee. Such work includes the production of an electronic presentation and preparation of a verbal presentation. The Case Officer also attends the Planning Committee to deliver a presentation, answer queries and offer advice. The current process can consequently result in Officers spending one day of extra work on dealing with this. This time and associated costs of this would therefore be saved if Officers had delegated powers to determine such applications.

3. Revocation of Hazardous Substance Consents

- 3.1. The hazardous substances consent process ensures that hazardous substances can only be kept or used in significant amounts after an assessment of the risk to people and the environment in the surrounding area. It regulates the storage and use of hazardous substances and enables breaches of control, which may present serious risks, to be dealt with quickly and effectively. It particularly ensures that this residual risk to people in the vicinity or to the environment is taken into account before a hazardous substance is allowed to be present in a controlled quantity.
- 3.2. The Health and Safety Executive advises the Council on the nature and severity of the risk to persons in the vicinity arising from the presence of a hazardous substance. The Environment Agency also advises on the risk to the environment, including if an environmental permit is needed.
- 3.3. The Head of Growth and Investment currently has delegated powers to determine applications for hazardous substance consents in consultation with the Head of Environmental Services. However, the Scheme of Delegation remains silent in respect of who has authority to revoke existing hazardous substance consents. The revocation of existing hazardous substance consents consequently needs to be determined by Planning Committee.
- 3.4. The above situation can lead to similar issues arising as described in section 3 above. It can also create problems and delays when dealing with applications for new hazardous substance consents.
- 3.5. By way of example, Officers are currently dealing with two applications for new hazardous substance consents (refs: R16/0922 and R16/0930). The Health and Safety Executive has raised no objection to these proposed applications subject to the existing consents on the land being revoked. This

wouldn't restrict the applicants but would remove the potential overlapping of consents which may otherwise enable them to store more hazardous materials than they are indicating. The new hazardous substance consent applications can therefore be determined by Officers under delegated powers but the revocation of the existing hazardous substance consents would need to be determined by Planning Committee.

4. Proposed Process for Determining Applications to Vary or Remove Conditions Attached to Major Applications and Revoke Hazardous Substance Consents

4.1. It is proposed that the following wording of the Scheme of Delegation (Part 2B) under section 5.2.3.C) is changed from:

“Full or outline applications (but not applications for the approval of reserved matters) included within the definition of “major developments” as set out in the General Development Control Return, produced by the Department for Communities and Local Government or any such relevant body”.

To:

“Full or outline applications (but not applications for: the approval of reserved matters; variation of conditions; or removal of conditions) included within the definition of “major developments” as set out in the General Development Control Return, produced by the Department for Communities and Local Government or any such relevant body”.

4.2. It is proposed that the following wording of the Scheme of Delegation (Part 2B) under section 5.2.2.H) is changed from:

“In consultation with the Head of Environmental Services, applications for hazardous substances consent under the Planning (Hazardous Substances) Act 1990”.

To:

“In consultation with the Head of Environmental Services, applications for hazardous substances consent under the Planning (Hazardous Substances) Act 1990 and the revocation of any existing hazardous substances consent”.

4.3. In delegating the decision the Council would no longer be subject to the Planning Committee cycle and decisions would be made in a prompt and timely manner. This would also reduce the burden upon Planning Committee to determine applications which are typically of a minor, straightforward and simple nature. Furthermore, it would save the extra Officer time and therefore costs involved in taking such applications to Planning Committee.

4.4. The proposed amendment would not alter the ability of Councillors to request that applications to vary or remove conditions attached to major applications be determined by Planning Committee. It would also not alter the need for

such applications to be determined by the Planning Committee if 15 or more households submit objections to the proposal or if the application is recommended for approval against the advice of the Highway Authority. These safeguards would consequently ensure that any significant and/or contentious proposals to vary or remove conditions attached to major applications could still be determined by Committee.

Name of Meeting: Planning Committee

Date of Meeting: 19th October 2016

Subject Matter: Amendment to the Scheme of Delegation - Variation and Removal of Planning Conditions Attached to Major Applications and Revocation of Hazardous Substance Consents

Originating Department: Planning and Enforcement

List of Background Papers

There are no background papers relating to this item.

AGENDA MANAGEMENT SHEET

Report Title:	Amended Procedure for Members' Requests for Site Visits by Planning Committee
Name of Committee:	Planning Committee
Date:	19th October 2016
Report Director:	Head of Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All
Prior Consultation:	
Contact Officer:	Nick Freer
Public or Private:	Public
Report subject to Call-In:	N/A
Report En-Bloc:	N/A
Forward Plan:	N/A
Corporate Priorities:	Council: Improve Service Delivery
Statutory / Policy Background:	N/A
Summary:	
Financial Implications:	None
Risk Management Implications:	None
Environmental Implications:	None
Legal Implications:	There are no legal implications for this report

Equality and Diversity:

There are no equality and diversity implications for this report

Options:

1. Continue with the current practice and procedure of Members being able to request a site visit for a planning application at any time prior to its determination.

2. Limit the time Members have to request a site visit to within the 21 day consultation period for that application or, in exceptional circumstances, at the Chair's discretion.

Recommendation:

(1) The time Members have to request a site visit on any planning application be limited to within the 21 day consultation period for that particular application or, in exceptional circumstances, at the Chair's discretion; and

(2) IT BE RECOMMENDED TO COUNCIL THAT the Council's Constitution be amended accordingly.

Reasons for Recommendation:

To reduce delay in the determination of planning applications, improve service delivery and provide greater certainty to the customer.

Planning Committee – 19th October 2016

**Amended Procedure for Members' Requests for Site Visits by
Planning Committee**

Report of the Head of Growth and Investment

Recommendation:

- (1) The time Members have to request a site visit on any planning application be limited to within the 21 day consultation period for that particular application or, in exceptional circumstances, at the Chair's discretion; be approved; and
- (2) IT BE RECOMMENDED TO COUNCIL THAT the Council's Constitution be amended accordingly.

1.1 Introduction

There have been a number of occasions recently where requests for Planning Committee to visit a particular site have been received late on in the processing of the application. This has led to delays in the processing and determination of applications as well as frustration to applicants and agents. In order to avoid such delays and improve the certainty of the service the Council delivers it is proposed to establish a time limit by which Members can request such site visits that mirrors the time already allowed to Members under the Council's delegation arrangement to call in applications in for determination by Planning Committee.

1.2 Background

The Council's delegation agreement allows Members a minimum of 21 days during the consultation period to request that a planning application be decided by Planning Committee rather than by officers under delegated powers. Whilst this 21 day time frame is adhered to in respect of the delegation agreement, it has been custom and practice for a considerable number of years for Members to be able to request Planning Committee to visit a particular planning application site at any time prior to the application being decided.

Once such a request is received by officers a decision on that particular application is suspended whilst the request is brought before the next available Planning Committee for it to consider whether or not it wishes to undertake such a visit. If the Committee decides to visit the site the decision on the application automatically becomes a Committee matter and goes before them for a decision after the site visit has taken place. If it decides not to visit a site the decision will be either delegated to officers or decided by Committee depending on the circumstances of each individual

case. Inevitably this leads to delays in the processing of the application and the issuing of any decision as well as uncertainty and frustration to customers.

1.3 Proposal

To overcome these concerns and improve the delivery of decisions it is proposed that Members' requests for an application to be the subject of a Committee site visit must be received within the 21 day consultation period. Such a time limit would mirror the time already allowed to Members to call an application before Committee for a decision. It is considered that such a limit would allow Members sufficient opportunity to identify complex or contentious applications in their ward and request a site visit whilst at the same time offering a degree of certainty to the customer.

Once such a request is received it will either be placed on the standing report for site visit requests or verbally reported to the next available Planning Committee. Once the 21 day consultation period has expired officers would not be in a position to report any late requests, however, the Planning Chair would have the discretion to allow late requests in exceptional cases only.

1.4 Conclusion

It is recommended that where any Borough Councillor requests a site visit by Planning Committee on any planning application, such a request must be made in writing or by e-mail to the case officer within the 21 day consultation period for that particular application stating the material planning reasons for such a request, any requests that do not accord with these procedures will only be considered in exceptional circumstances at the Planning Chair's discretion: be approved by Planning Committee and put before Council for approval.

Name of Meeting:
Planning Committee

Date of Meeting:
19th October 2016

Subject Matter:
Amended Procedure for Member's Requests for Site Visits by Planning Committee

Originating Department: Growth and Investment (Development and Enforcement)

List of Background Papers

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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* There are no background papers relating to this item.

(*Delete if not applicable)

AGENDA MANAGEMENT SHEET

Report Title:	Planning Appeals Update
Name of Committee:	Planning Committee
Date:	19th October 2016
Report Director:	Head of Growth and Investment
Portfolio:	
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Greg Vigars Tel: Ext.3621
Public or Private:	Public
Report subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	
Statutory / Policy Background:	The Planning Appeals procedure which came into effect on 6th April 2009.
Summary:	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/07/2016 to 30/09/2016.
Financial Implications:	Increases the scope for related costs claims within the Planning Appeals process.
Risk Management Implications:	There are no risk management implications arising from this report.

Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	Advice/support with regard to Cost Claims and any subsequent Costs awards.
Equality and Diversity:	No new or existing policy or procedure has been recommended.
Options:	N/A
Recommendation:	This report has been noted.
Reasons for Recommendation:	To keep Members of the Planning Committee updated on a quarterly basis with regard to the current position in respect of Planning Appeals.

Planning Committee - 19th October 2016

Planning Appeals Update

Report of the Head of Growth and Investment

Recommendation

This report has been noted.

This report provides information to update the Planning Committee on the position with regard to planning appeals. It is intended that this will continue to be produced on a quarterly basis.

1.1 Appeals determined

During the last quarter from 1st of July to 30th of September a total of 7 planning appeals were determined, of which 1 were allowed, 5 were dismissed and 1 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

1.2 Appeals outstanding/in progress

As at 30th September 2016 there were 5 planning appeals and 3 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

R13/2102, land at Ashlawn Road, was refused by the Council based on objections from the Highway Authority and Environmental Services regarding increased traffic at the Dunchurch crossroads and the additional congestion and air pollution associated with this. The applicants have appealed against this decision and this is to be heard at an Inquiry in January and February 2017.

During the processing of the appeal the applicants produced a new scheme of highway works at Dunchurch crossroads to mitigate against the impacts from the development. The appellants carried out consultation with Councillors, technical consultees and local residents and officers are satisfied with this consultation process.

Based on the revised mitigation scheme and submitted information the objections from the Highway Authority and Environmental Services have been withdrawn. The Council will therefore not be relying on evidence to support these reasons for refusal at the Inquiry.

Name of Meeting:
Planning Committee

Date of Meeting:
19th October 2016

Subject Matter:
Planning Appeals Update

Originating Department:

List of Background Papers

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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* There are no background papers relating to this item.

(*Delete if not applicable)

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1st July 2016 – 30th September 2016

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Land at Nelsons Wharf Rugby Road Stockton CV47 8AA	Erection of workers' dwelling.	Karen McCulloch R15/2389 APP/E3715/W/16/3146581	Refusal 02/02/2016 Written Reps	Dismissed 04/07/2016
12 Poplar Grove Coventry CV8 3QE	Erection of a first floor side extension above the existing garage, single storey rear extension and new entrance porch	Paul Varnish R16/0543 APP/E3715/D/16/3148782	Refusal 04/04/2016 Householder Appeals Service	Allowed 08/07/2016
Keepers Cottage Newnham Paddocks Coal Pit Lane Rugby CV23 0RX	Extensions and alterations to existing dwelling, and erection of a replacement garage building, together with associated works.	Chris Davies R15/2521 APP/E3715/D/16/3149784	Refusal 25/02/2016 Householder Appeals Service	Dismissed 08/07/2016
The Furniture Gallery Coventry Road CV23 9JP	Retention of change of use of B1 unit and associated storage to retail (A1) use (resubmission of R15/0566)	Ruari McKee R15/1317 APP/E3715/C/15/3139059	Refusal 30/09/2015 Written Reps	Dismissed 29/07/2016
The Furniture Gallery Coventry Road CV23 9JP	Change of use without Planning Permission of the land from B1 storage to A1 retail	APP/E3715/C/15/3139060	Enforcement Notice Issued 21/10/2015 Written Reps	Dismissed and Enforcement Notice Upheld 29/07/2016
Land at Clifton Lakes Farm Clifton Lakes Watling Street Clifton Upon Dunsmore	Retention of alterations and change of use forming access way and landscaping and provision of fencing, hardstanding, further landscaping and other associated	Richard Redford ENF/2015/0494 against R14/1141 APP/E3715/C/16/3144362	Refusal 30/01/2015 Written Reps	Enforcement Notice Withdrawn 09/08/2016

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
CV23 0AQ	works to create a sheep and cattle holding area.			
82 Bilton Road Rugby CV22 7AX	Provision of a dropped kerb, and hard surfacing of the front garden to form an off-street parking area.	Chris Davies R15/0949 APP/E3715/W/16/3145467	Refusal 18/12/2015 Written Reps	Dismissed 12/09/2016

APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.09.2016

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Glebe Farm Barn Birdingbury Road Bourton-on-Dunsmore CV23 9RA	Erection of single storey extension	Jo Orton R15/1357 APP/E3715/D/15/3139899	Committee Refusal 20/08/2015	Written Reps
Fosse Cottage Farm Rugby Road Street Ashton CV23 0PL	Retention of an outbuilding and lean-to extension to shed (retrospective)	Paul Varnish Enforcement Notice Appeal against R15/2056 APP/E3715/C/16/3142842	Delegated Refusal 27/11/2015	Written Reps
Land North of Ashlawn Road Ashlawn Road Rugby CV22 5SL	Outline application for the demolition of existing buildings, erection of up to 860 dwellings, land for a potential primary school, two vehicular accesses from Ashlawn Road and the provision of a bus link control feature to Norton Leys, open space, green infrastructure, landscaping and associated infrastructure, including sustainable urban drainage features. All matters to be reserved except access points into the site.	Richard Holt and Karen McCulloch R13/2102 APP/E3715/W/16/3147448	Committee Refusal 27/01/2016	Inquiry
The White House Oxford road Princethorpe Rugby CV23 9QD	Certificate of lawful development for existing use of buildings for storage, fabrication, car repairs and light engineering within Use Classes B1, B2 and B8	Richard Redford R15/0490 APP/E3715/X/16/3150665		Written Reps
Land on the West Side of Gypsy Lane To the Rear of Rosemere Hinckley Road Wolvey LE10 3HQ	Appeal submitted against Enforcement Notice	Richard Redford APP/E3715/C/16/3152393 APP/E3715/C/16/3152394		Written Reps

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Land at Gypsy Lane Wolvey LE10 3HQ	New stables and menage (Re-submission of application R15/0334 refused on 14th May 2015).	Richard Redford R16/0951 APP/E3715/W/16/3156198	Delegated Refusal 13/07/2016	Written Reps
Land to the Rear of Marisburn House Parrotts Grove Coventry	Change of use of land to the stationing of caravans for 3 gypsy pitches with associated hardstanding and utility/dayrooms	Jo Orton R16/0038 APP/E3715/C/16/3153820	Delegated Refusal 11/05/2016	Hearing
Highview Withybrook Lane Shilton Coventry CV7 9HY	Appeal against Enforcement notice appeal in relation to erection of a wall and gates	Karen McCulloch APP/E3715/C/16/3159593 APP/E3715/C/16/3159594		Written Reps

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions – 1 st September 2016 to 21 st September 2016
Name of Committee:	Planning Committee
Date:	19 th October 2016
Report Director:	Head of Growth and Investment
Portfolio:	
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Dan McGahey 3774
Public or Private:	Public
Report subject to Call-In:	Not applicable
Report En-Bloc:	Not applicable
Forward Plan:	Not applicable
Corporate Priorities:	
Statutory / Policy Background:	Planning and Local Government Legislation
Summary:	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
Financial Implications:	N/A
Risk Management Implications:	N/A
Environmental Implications:	N/A
Legal Implications:	N/A

Equality and Diversity:

N/A

Options:

N/A

Recommendation:

The report be noted.

Reasons for Recommendation:

To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers

Planning Committee - 19th October 2016

Delegated Decisions – 1st September 2016 to 21st September 2016

Report of the Head of Growth and Investment

Recommendation

The report be noted.

1. BACKGROUND

Decisions taken by the Head of Growth and Investment in exercise of powers delegated to him during the above period are set out in the Appendix attached.

Name of Meeting:
Planning Committee

Date of Meeting:
19th October 2016

Subject Matter:
Delegated Decisions – 1st September 2016 to 21st September 2016

Originating Department:

List of Background Papers

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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* There are no background papers relating to this item.

(*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER
DELEGATED POWERS FROM 01.09.2016 TO 21.09.2016

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R16/1513 Refused 06.09.2016</i>	The Bridles Homestead Coventry Road Rugby	Erection of conservatory
<i>R16/0794 Refused 08.09.2016</i>	Spinney Farm Main Street Withybrook Rugby	Retention of and alterations to the stables and construction of a menage.
<i>R16/1061 Refused 14.09.2016</i>	Popehill Cottage Draycote Road Draycote Rugby	Extension and alteration of the existing dwelling.
<i>R15/2298 Refused 16.09.2016</i>	Land at Former Allotment Plott Lane Stretton-On-Dunsmore	Erection of one new dwelling.
<i>R16/1783 Refused 21.09.2016</i>	Highview Withybrook Lane Shilton	Variation of condition 2 of planning permission R16/1115 (Retrospective application for extensions and alterations to dwelling house, retention of detached garage and outbuilding and alteration to boundary of residential curtilage.) to allow the construction of buildings etc. incidental to the enjoyment of the dwelling house as permitted development. (Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended).
Applications Approved		
<i>R15/1678 Approved 01.09.2016</i>	36 Roper Close Hillmorton Rugby	Erection of a two storey side and single storey rear extension with associated alterations.
<i>R16/1335 Approved</i>	7 Kingsley Avenue Hillmorton	Material amendments to Planning Permission reference R15/0449 (Erection of a two storey

01.09.2016	Rugby	side and rear extension with loft conversion (resubmission of planning permission R14/1689 dated 30 January 2015), dated 01/04/15) (partially retrospective).
R16/1548 Approved 01.09.2016	Unit 17 Europark Watling Street Newton	Change of use from general storage (yard) (use Class B8), to a mixed sui generis use for general storage (yard) and trailer (HGV) sales, together with the siting of a portakabin and hoist crane.
R16/1539 Approved 02.09.2016	41 Rathbone Close Hillmorton Rugby	Erection of a single storey and two storey rear extension.
R16/0442 Approved 05.09.2016	Churchover House School Street Churchover	Erection of a side extension to accommodate an indoor swimming pool.
R16/1383 Approved 05.09.2016	76 Pytchley Road Rugby	Erection of a single storey side and rear extension
R16/1572 Approved 05.09.2016	39 Rugby Road Dunchurch Rugby	Material alterations to planning permission R15/2330 (Erection of a two storey side extension, dated 19 January 2016) to change the approved materials for the front elevation.
R16/1707 Approved 05.09.2016	45-47 Somers Road New Bilton Rugby	Alterations to the building to include the removal of a loading bay door and the replacement with a louvered vent, the installation of exhaust stacks, radiators, air inlets, air outlets and a gas kiosk and substation.
R16/1744 Approved 06.09.2016	54 Catesby Road Rugby	Erection of a single storey rear extension
R16/1226 Approved 06.09.2016	Roof Top 9 North Street Rugby	Erection of 9 residential apartments (8 x one-bed and 1 x two-bed) (Use Class C3)
R15/1931 Approved 06.09.2016	8 Monarch Close Rugby	Installation of two rooflights to the front elevation
R16/1270	3 Manor Estate	Retention of timber shed

<i>Approved 07.09.2016</i>	Wolston	
<i>R16/1749 Approved 07.09.2016</i>	Meadow Vale 46 Wood Lane Shilton	Erection of single storey front extension
<i>R16/1699 Approved 07.09.2016</i>	2 Naseby Road Rugby	Erection of part two storey & single storey side extension
<i>R16/1620 Approved 07.09.2016</i>	Warwickshire College Royal Leamington Spa Land at Former Rugby College Site Lower Hillmorton Road Hillmorton Rugby	Substitution of house types for plots 71 - 73 of approval R14/2229 (Erection of 131 dwellings with associated works and landscaping (Approval of reserved matters in relation to outline planning permission R13/0124)).
<i>R16/1567 Approved 09.09.2016</i>	Penny Cottage Main Street Bourton on Dunsmore	Proposed single storey front extension (to southern elevation)
<i>R16/1679 Approved 09.09.2016</i>	7 Shuckburgh Crescent Bourton-on-Dunsmore Rugby	Demolition of outbuildings and erection of two-storey extension
<i>R16/0671 Approved 09.09.2016</i>	Whitehall Medical Practice Morton Gardens Rugby	Proposed demolition of existing lobby and erection of new single storey front extension, internal alterations and site works to include landscaping and installation of new car park barrier to patient car park
<i>R16/1546 Approved 09.09.2016</i>	3 Whittle Close Bilton Rugby	Conversion of the existing garage to habitable room and erection of a single storey rear/side extension
<i>R16/1729 Approved 12.09.2016</i>	The Lodge Main Street Brandon Coventry	Retention of cladding to front elevation and proposed installation of cladding to side elevation
<i>R16/1766 Approved 12.09.2016</i>	2 The Elms Ashlawn Road Hillmorton Rugby	Single storey front extension and garage conversion.
<i>R16/1728</i>	21 Avonmere	Erection of part first floor and part two storey

<i>Approved</i> 15.09.2016	Newbold Rugby	side extension and orangery to rear
<i>R16/1626</i> <i>Approved</i> 15.09.2016	50 John Simpson Close Wolston Coventry	Erection of single-storey side and rear extensions, and new access, parking space and car port to side and raise height of roof of host dwelling [Revision to application ref No R13/2166 and R14/2112]
<i>R16/1731</i> <i>Approved</i> 15.09.2016	44 Woodlands Road Binley Woods Coventry	Erection of outbuilding for use as granny annex ancillary to the host dwelling
<i>R16/1746</i> <i>Approved</i> 16.09.2016	Misselthwaite House 8 Bilton Road Rugby	Replacement fence to the front of the property.
<i>R16/1694</i> <i>Approved</i> 16.09.2016	Commercial 24 Regent Place Rugby	Change of use from office (A2) to 10 bedroom HMO (Sui Generis) including a two storey rear extension.
<i>R16/1720</i> <i>Approved</i> 16.09.2016	73 Bluemels Drive Wolston Coventry	Re-positioning of boundary wall and use of part of landscaped area for the provision of additional parking and new dropped kerb.
<i>R16/1424</i> <i>Approved</i> 16.09.2016	Land Adjacent to Oakwood Cottage Brandon Lane Brandon Coventry	The siting of a telecommunications base station comprising a 21 metre high lightweight lattice mast, with 6 no. antennas, 2 no. 600mm diameter dish antennas, 3 no. equipment cabinets and 1 no. meter cabinet, within a fenced compound and ancillary works.
<i>R16/1800</i> <i>Approved</i> 19.09.2016	56 Bawnmore Road Bilton Rugby	Erection of single storey rear extension
<i>R16/1733</i> <i>Approved</i> 19.09.2016	11 Whittle Close Bilton Rugby	Erection of new boundary wall and removal of existing workshop building (approved as part of planning permission ref: R96/0208/5466/P) and erection of replacement structure.
<i>R16/1710</i> <i>Approved</i> 19.09.2016	12 Langton Road Rugby	Erection of detached garage and workshop to the rear of the property.
<i>R16/1782</i> <i>Approved</i> 19.09.2016	102 Grove Road Ansty Rugby	Demolition of existing dwelling and erection of new dwelling with integral garage (resubmission of planning permission

		R15/2134).
<i>R14/2290 Approved 20.09.2016</i>	Freeman Ltd Former Peugeot Factory Site B Oxford Road Ryton On Dunsmore	Retrospective application for the retention of no. 5 roof mounted flues and no. 1 cowl
<i>R16/0299 Approved 20.09.2016</i>	New Haven Rugby Road Coventry	Demolition of existing dwelling and erection of a replacement dwelling house, together with the erection of a triple garage with tack room, and first floor home office, erection of a stable block with feed store and wash down area and provision of a ménage, and associated landscaping.
<i>R16/1043 Approved 20.09.2016</i>	30 Ridge Drive Rugby	Retrospective planning permission for the conversion of the existing attached garage to ancillary living accommodation
<i>R16/1473 Approved 21.09.2016</i>	10 Fisher Avenue Rugby	Erection of a single storey side/rear extension
<i>R16/1798 Approved 21.09.2016</i>	Hunters Gate Buckwell Lane Clifton Upon Dunsmore	Formation of first floor extension to existing bungalow to provide two storey dwelling
<i>R16/1552 Approved 21.09.2016</i>	Flat 47 Cymbeline Way Bilton Rugby	Provision of a first floor balcony over the existing flat roof element including external alterations of a window to a door way at the first floor level.
<i>Prior Approval Applications</i>		
<i>R16/1489 Prior Approval Not Required 02.09.2016</i>	37 Court Leet Coventry	Prior Approval application for the erection of a single storey rear extension (conservatory) projecting 5 metres from the original rear elevation of the dwelling, 3 metres in width, 2.1 metres to the eaves , with a maximum height of 3.2 metres.
<i>R16/1761 Prior Approval Not Required 08.09.2016</i>	The Willow Mil Lane Wolvey Rugby	Prior approval for the erection of a single storey rear extension.
<i>R16/1762</i>	10 Avon Street	Prior approval for the erection of a single storey

<i>Prior Approval Not Required</i> 08.09.2016	Clifton Upon Dunsmore Rugby	rear extension.
<i>R16/1801</i> <i>Prior Approval Not Required</i> 19.09.2016	106 Lawford Lane Bilton Rugby	Prior notification for the erection of a single storey rear extension projecting 6.3 metres from the rear elevation of the original dwelling, 2.5 metres in height to the eaves and 3.6 metres in height to the highest point of the extension
<i>R16/1748</i> <i>Prior Approval Required and Granted</i> 19.09.2016	16 Eden Road Rugby	Prior Approval application for the erection of a single storey rear extension projecting 3.6 metres from the original rear elevation of the dwelling, 3.05 metres in width, 2.5 metres to the eaves, with a maximum height of 3.7 metres.
<i>R16/1608</i> <i>Prior Approval Required and Granted</i> 19.09.2016	The Mill Road Stores 11 Mill Road Rugby	Notification for a proposed change of use of the existing building from A1 (retail) to A3 (restaurant and café).
Listed Building Consents		
<i>R16/1506</i> <i>Listed Building Consent</i> 07.09.2016	3 Arnold Villas Rugby	Listed Building Consent for the demolition of the existing garage, creation of parking space and erection of new wall
Advertisement Consents		
<i>R16/1668</i> <i>Advertisement Consent</i> 02.09.2016	HSBC Bank PLC 15 Church Street Rugby	Installation of various non-illuminated signage to bank frontage.
Approval of Details/ Materials		
<i>R14/0423</i> <i>Approval of Details</i> 01.09.2016	Land adjacent to 4 Princes Street Rugby	Erection of a three storey building comprising 6no. 2 bed apartments and associated works, including erection of a bin store and cycle store to the rear and provision of parking to the front.
<i>R14/1070</i> <i>Approval of Details</i> 01.09.2016	Rugby Radio Station Key Phase 1 A5 Watling Street Clifton Upon Dunsmore	Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - Application for reserved matters approval of access, appearance, landscape, layout and

	Rugby	scale in respect of primary infrastructure, ground remodelling and associated works at Key Phase 1 of the Rugby Radio Station development including internal primary and secondary street network, junctions and turning heads, land reprofiling, utilities infrastructure including alignment of service runs and gas governor, foul and surface water drainage infrastructure including pumping station, any necessary demolition, archaeological investigations, temporary stockpiling of construction materials, and areas for construction use. (GREY INFRASTRUCTURE - Part Discharge of Condition 15 of the Outline Planning Permission - R11/0699)
<i>R14/1071 Approval of Details 01.09.2016</i>	Rugby Radio Station Key Phase 1 A5 Watling Street Clifton Upon Dunsmore Rugby	Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - Application for reserved matters approval of appearance, landscape, layout and scale in respect of strategic green infrastructure and associated works at Key Phase 1 of the Rugby Radio Station development comprising areas of common or strategic green infrastructure including wildlife corridors, Great Crested Newt holding habitats including any necessary fencing, hibernacula and crossings, productive landscape, footways/cycleways, lighting, sustainable drainage features, construction of engineered drainage works, planting, any necessary ground remodelling and demolition and connections to existing ditch courses, temporary construction compound, stockpiling and construction areas and construction access from the A428.(GREEN INFRASTRUCTURE - Part Condition 15 of the Outline Planning Permission - R11/0699)
<i>R14/0217 & R15/0883 Approval of Details 01.09.2016</i>	Unit DC7 Prologis Ryton Sites A & B Former Peugeot Site Oxford Road Ryton on Dunsmore	Outline planning application for the use of land for Class B2 (General Industry) & Class B8 (Storage, Warehouse & Distribution) employment purposes together with ancillary offices, gatehouses, car parking and associated road infrastructure and landscaping, including access.
<i>R14/0407 & R15/2239 Approval of Details 02.09.2016</i>	Land adjacent Ridgeway Farm Ashlawn Road Hillmorton Rugby	Application for Reserved Matters for 96 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R14/0407 for demolition of agricultural buildings and use of land for residential development and associated works, including access.
<i>R11/0114</i>	Cawston Extension Site	Outline application for residential development

<i>Approval of Details</i> 02.09.2016	Coventry Road Cawston Rugby	(up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).
<i>R14/0407 & R15/2239</i> <i>Approval of Details</i> 02.09.2016	Land adjacent Ridgeway Farm Ashlawn Road Hillmorton Rugby	Application for Reserved Matters for 96 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R14/0407 for demolition of agricultural buildings and use of land for residential development and associated works, including access.
<i>R16/0614</i> <i>Approval of Details</i> 02.09.2016	Hill House Farm Birdingbury Road Leamington Hastings	Outline application (all matters reserved except for access) for erection of rural worker's dwelling
<i>R11/0476 & R14/1641</i> <i>Approval of Details</i> 05.09.2016	Former Ballast Pits and Railway Sidings Lower Street Hillmorton Rugby	Application for Reserved Matters for 76 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R11/0476 for up to 76 dwellings with associated access, roads and infrastructure.
<i>R14/1005</i> <i>Approval of Details</i> 08.09.2016	Barn Woolscott Road Willoughby	Conversion of a redundant brick built agricultural barn to a three bed dwelling with extensions and roof alterations. (Amendment to approved planning permission ref: R13/2271 dated 14th January 2014 to include a second floor gable-end window and the re-positioning of the kitchen extension wall)
<i>R10/1272 & R15/2329</i> <i>Approval of Reserved Matters</i> 09.09.2016	Rugby Gateway Phase R4 Leicester Road Rugby	Erection of 132 dwellings with associated open space, playing pitches, infrastructure and ancillary works, provision of spine road; (Approval of Reserved Matters in relation to outline planning permission R10/1272.)
<i>R14/0407 & R15/2239</i> <i>Approval of Details</i> 12.09.2016	Land adj Ridgeway Farm Ashlawn Road Hillmorton Rugby	Application for Reserved Matters for 96 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R14/0407 for demolition of agricultural buildings and use of land for residential development and associated works, including access.
<i>R15/0030</i> <i>Approval of Details</i> 14.09.2016	13-15 High Street Rugby	Erection of 3 Mews Dwellings to the rear together with alteration and extensions of 13-15 High Street

<i>R14/2199 Approval of Details 19.09.2016</i>	Coton House Lutterworth Road Churchover Rugby	Change of use of Coton House to a single dwelling house, erection of associated garaging, gym and spa, re-instatement of former north drive, alterations to the access onto A426 with associated boundary treatments and provision of bat barns.
<i>R13/0940 Approval of Details 19.09.2016</i>	Lion Farm 48 Rugby Road Rugby	Creation of a 'zero carbon' eco house
<i>R12/1353 Approval of Details 19.09.2016</i>	Land at Coton House Lutterworth Road Churchover Rugby	A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).
<i>R15/0852 Approval of Details 19.09.2016</i>	Topiary Cottage Coton House Lutterworth Road Churchover Rugby	Two storey extension and alterations to existing dwelling house with erection of detached double of garage
<i>R14/2236 Approval of Details 20.09.2016</i>	Former Peugeot Factory Site C Oxford Road Ryton on Dunsmore	Outline planning application for redevelopment of 13.65ha of the southern part of the former Peugeot Works site for Class B2 (general industry) & Class B8 (warehouse, storage & distribution) uses, together with ancillary offices, gatehouses, car parking, associated road infrastructure (including access onto the A423 Oxford Road) and landscaping, including importation of material to raise ground levels.
Approval of non-Material Changes		
<i>R16/0644 Approval of Non-</i>	7 Redhill Road Long Lawford	Demolition of existing conservatory and erection of a single storey rear extension

<i>Material Changes</i> 08.09.2016	Rugby	
<i>R14/2186</i> <i>Approval of Non-</i> <i>Material Changes</i> 08.09.2016	Former Peugeot Factory Site B Unit DC1 Imperial Road Oxford Road Ryton on Dunsmore	Application for Reserved Matters Approval for Unit DC1 relating to appearance, landscaping, layout, and scale, including ancillary car parking, loading areas and sprinkler tank (Application H), against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423).
<i>Withdrawn/</i> <i>De-registered</i>		
R16/1126 Withdrawn 25.07.2016	Former Gojo Restaurant 424 London Road Stretton on Dunsmore Rugby	Erection of 7 dwellings (Submission of reserved matters access, appearance and part landscaping following approval of outline planning permission with layout, scale and part landscaping approved under LPA reference R12/1128 on 24th August 2015).